

**RESPONDING TO TERROR:
A REPORT OF THE U.S. ARMY WAR COLLEGE
CONSEQUENCE MANAGEMENT SYMPOSIUM**

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FOREWORD

The Consequence Management Symposium was conducted by the Center for Strategic Leadership (CSL), at the Collins Center, United States Army War College on August 21-23, 2001. It was co-sponsored by the Center for Strategic and International Studies (CSIS). The purpose of the conference was to contribute to the ongoing debate over domestic defense, and to identify opportunities and approaches to solutions in this area of vital national interest.

Although the symposium was conducted three weeks prior to the September 11, 2001 terrorist attacks against the World Trade Center and the Pentagon, in the symposium's planning stage we believed that Homeland Defense ranked among the most compelling topics in national security, and that no topic within Homeland Defense demanded more immediate concern than Consequence Management. The ability of state, local, and federal officials to protect public health and safety, restore essential services, and provide emergency relief to governments, businesses, and individuals victimized by acts of terrorism could not be left in question. The symposium examined the infrastructure designed to meet those needs; evolving policy to strengthen that infrastructure; and, in particular, the role of the military in providing and supporting responses to catastrophic attacks on the civil sector.

The symposium brought together subject matter experts from across the spectrum of academia, federal, state and local government, and the military. Six panels addressed a wide range of issues including the results and recommendations of key studies concerning Homeland Defense (including the Hart-Rudman, Gilmore, and Bremer Commissions); legislative initiatives of the 107th Congress addressing domestic security; the evolving role of the National Guard and Reserve in Homeland Defense; and

Consequence Management as an engagement mechanism for the Unified Commands.

Keynote speakers for the event were the Honorable John J. Hamre, former U.S. Deputy Secretary of Defense, and Mr. Jerome M. Hauer, former Director of New York City's Office of Emergency Management.

As the events and aftermath of September 11, 2001 unfolded the relevance of consequence management has become clear to the average American. Recorded in this symposium report are the words and wisdom of our panelists, who quite accurately identified threats, issues, and policy challenges that have now attracted the attention of policy makers, the media, and citizens alike.

DOUGLAS B. CAMPBELL
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INTRODUCTION

Homeland Defense ranks among the most compelling topics in national security, and no topic within Homeland Defense demands more immediate concern than Consequence Management. The ability of state, local, and federal officials to protect public health and safety, restore essential services, and provide emergency relief to governments, businesses, and individuals victimized by acts of terrorism cannot be left in question. This symposium examined the infrastructure designed to meet those needs; evolving policy to strengthen that infrastructure; and, in particular, the role of the military in providing and supporting responses to catastrophic attacks on the civil sector.

The symposium brought together subject matter experts from across the spectrum of academia, federal, state and local government, and the military. Six panels addressed a wide range of issues including the results and recommendations of key studies concerning Homeland Defense, including the Hart-Rudman, Gilmore, and Bremer Commissions; legislative initiatives of the 107th Congress addressing domestic security; the evolving role of the National Guard and Reserve Components in Homeland Defense; and Consequence Management as an engagement mechanism for the Unified Commands.

Perhaps the most difficult task in developing a successful conference or symposium is assembling a well-rounded group of respected subject matter experts who are willing to contribute their knowledge and time and who complement each other. The Consequence Management Symposium was blessed by the attendance of truly motivated and engaging speakers, moderators and panelists. The Center for Strategic Leadership, United States Army War College extends its sincere appreciation to Mr. Frank Cilluffo and the Center for International and

Strategic Studies for their efforts to identify and help secure the participation of many of these experts.

Nineteen subject matter experts each made a presentation to the symposium. Some spoke from notes, some from a manuscript, and many used visual presentations. The following chapters are assembled from the edited transcribed tapes of the panel presentations and the discussions that ensued.

SUMMARY

There is no joy in accurately predicting tragedy. That, sadly, was the case for many of the participants in the Consequence Management Symposium, who in August 2001 contended that only a catalytic event would stimulate the urgency needed to bring about required changes in Domestic Preparedness. Their trepidation mirrored predictions ranging from congressionally mandated commissions to the White House itself. Even so, few among us would have forecast the nature and the magnitude of the events of September 11, 2001.

The lessons presented during the symposium in August were poignant; three weeks later their poignancy took on a new urgency. It is our hope that the proceedings from this forum may in some small way benefit the policy makers now struggling to develop the organizational structure and procedures needed to defend our territory, our infrastructure and our people in a grave new world.

Panel 1- The Evolving Infrastructure

This panel expertly brought into focus the fact that all consequence response is initially local, that incident command usually remains with local authorities, and that most emergency requirements will be handled entirely within local, regional, and state capabilities. The panelists grounded the symposium audience in the capabilities and challenges of the first responder and local public health communities, and established an appropriate baseline for the subsequent panels that were to address policies and roles concerning consequence management from a predominantly federal perspective.

The panelist representing the state's perspective in consequence management, Mr. Donald "Doc" Lumpkins of the Maryland Emergency Management Agency, offered a

list of initiatives that had proven to be very beneficial, as well as some that had proven to be superficial. Specialized training centers, research and development of specialized equipment for first responders, small-scale training exercises, and remote access to subject matter experts were all considered tremendous innovations made available from the federal government to state and local officials. Conversely, assistance in developing subject matter expertise in the states; providing training methods, recommended standards, and certification; implementing corrective plans derived from studies and exercises; and information sharing were all areas controlled by the federal government that were deemed in urgent need of improvement.

Mr. J.D. Piposzar of the Allegheny County Health Department in Pennsylvania represented the local and regional perspective. He opened his presentation with a declaration that the federal government cannot continue to fund “single-city initiatives,” such as the Department of Health and Human Services’ Metropolitan Medical Response System. Rather, the government should focus on regional funding. Combining this approach with formalized mutual aid agreements within the region will provide for the greatest efficiency and effectiveness against growing requirements in domestic preparedness. These mutual aid agreements have produced multifaceted readiness and response mechanisms, including specialized equipment pools, specialized training, common protocol and standard operating guidelines, interoperable communication systems, and a common emergency operations plan. Another cooperative initiative, the Regional Incident Support and Coordination (RISC) team, combines representatives of multiple first response components (medical, rescue, HAZMAT, law enforcement, etc) to facilitate the arrival and employment of required capabilities and resources to meet a given emergency.

Mr. Piposzar complimented certain federal partnering initiatives that are providing great benefits to the local and

regional responders. He praised information-sharing endeavors between the medical and law enforcement communities; however, a clear and urgent requirement remains to develop a national system for reporting disease and epidemiological information.

The value of the military to the local response plan was examined at length. In manpower-intensive endeavors (e.g., site security, crowd control), surge capabilities (ground and air transportation of casualties and fatalities, temporary shelter, refrigeration), and technical capacity (e.g., medical personnel supplements, chemical-biological transport and decontamination), the military could fill vital needs in assisting the region in responding to an emergency. But before these assets can be introduced to a real world effort, a degree of understanding must be obtained through training and exercises. The typical local responder does not know the military's capabilities; the typical military official will not understand the local needs.

Panel 2- The Evolving Policy- Words from the Commissions

No set of initiatives, to include legislative measures taken prior to September 11, 2001, helped establish the nascent policy infrastructure for homeland security as much as the excellent studies conducted from 1999 through 2001. Among the finest of these were the Gilmore Commission (*The Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction*) and the Hart-Rudman Commission (*The U.S. Commission on National Security/21st Century*). Similarly, no one tracked the initiatives surrounding the requirement for a robust homeland security infrastructure more closely than the Government Accounting Office, including those initiatives recommended by the various commissions. Accordingly, the second panel offered significant insight on the evolving national perspective surrounding homeland security.

The first panelist, Mr. Mike Wermuth of the RAND Corporation, presented some of the insights regarding homeland security that came out of the Congressionally mandated *Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction* (the Gilmore Commission). Mr. Wermuth noted the unique mixture of participants in the commission, representing the expanse of federal, state, and local interests surrounding domestic preparedness, rather than the frequently constricted “beltway” perspective that characterizes many federal studies. The commission fully appreciated the benefits of the intragovernmental perspective conveyed by this mix, and reflected it in many aspects of their findings and recommendations.

At the time of the symposium, the commission was in the final phases of preparing its third and final report for release to Congress. The first report highlighted the requirement for initiating a definitive threat assessment for domestic terrorism. This assessment would serve as a foundation for developing a national strategy, from which training standards, resource allocation, and uniform infrastructure could evolve. A key part of that infrastructure would be a mechanism by which information and intelligence, gathered along the range of national, state, and local law enforcement agencies, could be fused and disseminated to improve government effectiveness in combating terrorism.

The commission’s second report called for establishing a National Office for Combating Terrorism (NOCT), located in the executive office of the President, and headed by a director appointed by the President and confirmed by the Senate. The office would serve as a principal point of contact for Congress, a single voice speaking on behalf of the Executive Branch’s efforts surrounding homeland security. The NOCT would exercise certain oversight responsibilities for the disparate executive agencies involved in homeland security, including some degree of budget authority, but would have no operational control over the agencies.

Rather, like the NSC, the office would serve a coordinating function in consolidating the agencies' efforts toward domestic defense and domestic preparedness.

The office would be charged with developing a comprehensive national strategy for homeland security, along with a system of metrics to measure the speed and success of its implementation. Mr. Wermuth emphasized that this would be a national strategy—not federal—and that the NOCT would enlist the aid of federal, state, and local officials in its development.

The second panelist, Mr. Frank Hoffman, offered his observations as a former study group member of the *United States Commission on National Security/21st Century* (the Hart-Rudman Commission). The Commission worked over a three-year period, producing first a threat assessment: *New World Coming*, then a strategy: *A Concert for Preserving Security and Promoting Freedom*, and finally a proposed infrastructure to execute that strategy: *Roadmap for National Security: Imperative for Change*.

The Commission's threat assessment was at once ominous and prophetic. It pointed to a world in which deterrence and nonproliferation were losing their effectiveness as long-term strategies, where combinations of powerful means and ruthless will would present new dangers to the world community and especially to the United States. It further noted that rapid advances in information and biotechnologies could result in grave new vulnerabilities for our country. Its end assessment has been frequently quoted in horrible hindsight: "Americans will likely die on American soil; possibly in large numbers."

In spite of this forecast, the Commissioners held that (at the time of their writing) the government had failed to adopt homeland security as a primary national security concern. There was no program integrated into an overarching national strategy. The development of that strategy, therefore, was identified as a primary task for the new Presidency, and one that should be undertaken by his

National Security Council. Following that development, however, the commission noted the requirement for an “operational control” entity to implement it. That control could become available with the establishment of what the commission called the National Homeland Security Agency (NHSA). This agency would be headed by a cabinet level Presidential appointee, confirmed by the Senate, who would serve as a statutory member of the National Security Council. The agency would be established on the foundation of the Federal Emergency Management Agency, making full use of its regional divisions. The United States Coast Guard, the Border Patrol, and the U.S. Customs Service would all be transferred to this agency to solidify the country’s border management functions, but would retain their operational autonomy in performing their other traditional functions. In effecting this transfer the commission sought not only to provide leadership with a common focus, but also to provide for investments in intelligence and information systems, and other research and development items in agencies frequently neglected by their Departments.

Mr. Hoffman pointed out that, like the Gilmore Commission, Hart-Rudman was not advocating the creation of a lot of new organizations; they were looking for means of making existing organizations more effective. Accordingly, the second directorate in the NHSA, Critical Infrastructure Protection Directorate, is in essence a consolidation of the National Infrastructure Protection Center (NIPC) and the Critical Infrastructure Protection Office (CIAO), combined to focus their efforts addressing the nation’s vulnerabilities to electronic and physical attacks on critical infrastructure.

The final section proposed for the NHSA is the Emergency Preparedness and Response Directorate, which would serve as the primary conduit for federal, state, and local interface. Building off of FEMA’s traditional ties, this directorate would focus on training and equipment standards for state and local first responders, providing

resource grants for the same, refining and defining the nation's incident response system, encouraging intelligence and information fusion and dissemination, and integrating the various activities of the federal agencies into the Federal Response Plan.

While Hart-Rudman joined the Gilmore Commission in discouraging the notion that DoD should become the lead federal agency in homeland security affairs, the commission did have significant recommendations in realigning DoD to support that mission. They recommended the creation of a new Assistant Secretary of Defense for Homeland Defense to coordinate policy and requirements for DoD while also representing the department in the interagency process. In addition, the commission recommended that the National Guard be assigned homeland security as a primary mission, due to its status as a state asset, the ubiquitous location of its units, its political acceptability, and its inherent rapport with the local community. In making this recommendation the commission was fully aware of the Guard's dual role in support of the individual states and in its federal warfighting function, and acknowledged the importance of both. The position of the commission, however, was that the Guard was not "dual capable" of fulfilling both roles without resources, training and education. Plugging that capability gap for the homeland security mission was a primary concern.

The third panelist for this segment was Mr. Raymond Decker, Director of the Defense Capabilities and Management Section of the General Accounting Office. Having evaluated numerous studies for Congress on the homeland security issue, Mr. Decker offered an approach to the topic that emphasized the Threat, Leadership, Strategy and Actions.

Mr. Decker reminded the audience that the face of the threat is changing. In the past, the dominant threat was from nation-states, and when non-state entities (terrorists) were involved in attacks on the U.S., its forces, or its

possessions, they did so more or less in the open, as an irrefutable expression of their animosity to our policies, our values, or our way of life. The new threat is “non-traditional,” growing more along non-state, transnational lines, expressed in a way that defies attribution.

In the realm of Leadership, Mr. Decker suggested that the nation must abandon the traditional fixation for defining “who’s in charge” in favor of *coordinating* the “cross-cutting issues” that will have to be addressed in combating terrorism. GAO has called for a focal point, close to the President, empowered with this coordination and making decisions across interagency boundaries. As with the NSC, proximity to the President will be its truest claim to authority.

GAO has also identified the lack of a cohesive strategy in approaching homeland security issues as a quintessential obstacle to be overcome. The lack of such a strategy through the last session of Congress resulted in over \$11.3 billion dollars being distributed haphazardly across over 40 government agencies without a means of prioritizing or even effectively tracking expenditures. Moreover, the failure to construct a strategy makes approaches in identifying weaknesses in our domestic defense equally haphazard.

For all its weakness, however, Mr. Decker concluded that the direction of homeland security initiatives was positive in August of 2001. The commissions and similar studies had ensured that the issues were being identified and highlighted, and that the right questions were being asked. On the strengths of the growing realizations, Congress had become clearly engaged in the homeland security arena, resulting in focused legislation to address the sort of issues raised by the commissions. And the Executive Branch, beginning at the White House, had become similarly engaged. Mr. Decker warned, however, that even with new focus, homeland security remained a second tier issue at both ends of Pennsylvania Avenue.

Panel 3- The Evolving Legislation

At the time of the Symposium, 14 committees in the United States House of Representatives and 11 committees of the Senate claimed some degree of oversight over aspects of homeland security. Since September 11th, 2001 the House has sought to focus that oversight to a greater degree with the establishment of the Subcommittee on Terrorism and Homeland Security of the Permanent Select Committee on Intelligence, emphasizing Congress' growing concerns in the arena. Congressional interest is well documented even before September 11th, 2001, resulting not only in the commission of the types of studies addressed in the previous panel, but also in legislation specifically targeting domestic security affairs. The symposium's third panel consisted of a senior staff member from the House Committee on Government Reform, and personal staff from the offices of Senator Pat Roberts of Kansas and Representative Mac Thornberry of Texas. Their presentations described some of the evolving legislation aimed at supporting and framing homeland security issues, policy, and spending.

The first panelist was Ms. Kim Kotlar, Legislative Director for the Office of Representative Mac Thornberry. Ms. Kotlar began with the assertion that while the domestic threat is becoming clearer to Congress, the ability of the Congress and the Administration to convince the American public of the urgency surrounding that threat is an open question. The ability to initially answer that question, however, will determine how readily the government will be able to answer other compelling challenges, such as developing an overarching strategy for domestic preparedness, determining the appropriate roles for the disparate executive agencies claiming cognizance over homeland security issues, the interaction between those agencies and the state and local first responder, and the appropriate role for Congress. This, she postulated, was a leadership challenge of the utmost urgency, and one that, if

not quickly taken on by the Administration, would almost certainly invite Congressional attempts to “fill the void.”

Before addressing HR 1158, Representative Thornberry’s National Homeland Security Agency Act, Ms. Kotlar reviewed some of the motivations that led to the Congressman’s initiative. Besides the Hart-Rudman Commission, she cited several other studies. The July 1999 report by the Commission to Assess the Organization of the Federal Government to Combat the Proliferation of WMD concluded that the government was ill configured organizationally to meet the growing proliferation threat, and until that organization deficit was righted policy toward meeting the threat “is effectively no policy at all.” Another study in June 2001 found that the country’s inability to develop and implement an integrated, comprehensive strategy for domestic preparedness left the nation fundamentally incapable of responding to a serious terrorist attack.

Representative Thornberry’s bill was designed to address some of these shortfalls. Ostensibly the bill would accomplish three things. First, it would transform FEMA into a National Homeland Security Agency using its regional structure. This would establish a single focal point for coordinating interagency efforts and integrating federal, state and local initiatives. Utilizing the existing FEMA infrastructure would provide these capabilities without creating a new federal bureaucracy.

Second, HR 1158 would bring the Coast Guard, Customs Service and Border Patrol under a common agency. (The considerations and benefits behind this consolidation were the same as those described in Mr. Hoffman’s presentation). Finally, the agency would consolidate the offices and functions of the Critical Infrastructure Assurance Office and the National Infrastructure Protection Center. This consolidation would not only provide for a synergistic gain in capabilities, but would place them in a more “user

friendly environment” for private industry, outside of the Department of Justice.

The second panelist was Mr. Alan McCurry, Defense Legislative Assistant to Senator Pat Roberts of Kansas. Mr. McCurry began framing the issue in the eyes of Congress as a jurisdictional problem—one that applied to both ends of Pennsylvania Avenue. In addition to the problem of overcoming the question of “who’s in charge of homeland security” in the executive branch, he acknowledged that the multiple committee oversight claims in Congress was every bit as perplexing in trying to develop a coordinated approach to the issues. Moreover, he did not foresee a quick solution to the problem in the chambers. “Power sharing,” Mr. McCurry observed, “is not a strong suit of the Congress.”

On a similar bent, Mr. McCurry voiced concerns over the development of a partisan approach to homeland security procedures. Prior to the symposium, he had seen signs of division, particularly concerning expenditures for the National Missile Defense initiative. Senator Carl Levin, Chairman of the Senate Armed Services Committee had openly questioned the wisdom of pursuing such an expensive endeavor in defense of a low probability threat, as opposed to (and perhaps at the expense of) domestic terrorism concerns that carry a vastly higher probability of occurring. The issue, Mr. McCurry observed, was dividing along party lines, in an endeavor he opined “should be strictly bi-partisan.”

In an attempt at least partially directed at raising the “who’s in charge” issue in the executive branch, the Senate held what Mr. McCurry referred to as “the 3-Days in May” hearings. The hearings were unusual in that they achieved precisely the kind of power sharing he had declared so elusive: the hearings were co-chaired by Senator Gregg of the Senate Judicial Committee and Senator Roberts of the SASC, and were attended by other members of the Appropriations Committee and the Select Committee for Intelligence. The aim of the hearings was to identify the key

players, roles and responsibilities within the Executive Branch on domestic security issues, and to determine if additional Congressional action was appropriate. At the end of three days, a letter was sent to the Vice President signed by each of the members who had attended the sessions, with points they felt he should address as he and his working group on homeland security moved forward. Chief among the concerns of the Senators was the need for an identifiable national leadership on the issue, along with identifiable leadership within each agency involved in domestic preparedness—a single point of contact. The attendees also added their voices to the call for a comprehensive national strategy to address the issues, assisted by a threat-risk assessment to properly frame the problem. The members also shared the position that a single agency should be in overall charge of homeland security, and that measures should be taken to support and expand research and development initiatives for combating domestic terrorism.

In a rare examination of their own chamber, select members of the Senate had issued a call for the establishment of a special committee for homeland security, serviced by a small permanent staff and composed of members of the committees and subcommittees of the Senate currently claiming oversight. This special committee would oversee homeland security initiatives from the chamber at large, and would report to the leadership of each oversight committee in order to maintain a cohesive focus. Unfortunately, this recommendation was put forward prior to the May 2001 majority change in the Senate, and it had not advanced in the intervening months.

Mr. McCurry reported, nevertheless, that certain initiatives were still going forward, much akin to those that had been reported from the House. The *Response to Terrorism Act of 2001* was one such initiative, recommending a National Office for Combating Terrorism that would be headed by a Presidential appointee, confirmed by the Senate. As in previous suggestions, the

NOCT would be responsible for creating a comprehensive national strategy for domestic preparedness, would coordinate all executive functions toward that end, and would exercise a certain degree of budgetary authority. In addition, however, the office would serve as a “clearing house” for civil liberties issues encountered in initiatives designed to promote or preserve national security.

Mr. McCurry’s final set of observations had to do with legislation designed to address the electronic component of critical infrastructure. The *Critical Information Security Infrastructure Act* tackles the problem of integrating federal security initiatives with commercial industry and the private sector. This legislation (co-sponsored by Senators Bennett, Kyl, and Feinstein) seeks to provide assurance for proprietary information, liability protection, and other measures that would promote a willingness in the private sector to cooperate with the federal government.

The third panel member was Mr. Nicholas Palarino, Senior Policy Analyst for the Subcommittee on National Security, Veterans Affairs, and International Reform, House Committee on Government Reform. Mr. Palarino’s presentation focused on the domestic terrorist threat. He began with an assessment of the previous Administration’s efforts to address the domestic terrorist threat, including discussions of Presidential Decision Directives 39 and 62. PDD 39 established the National Domestic Preparedness Office within the Department of Justice, and charged it with coordinating state and local assistance requirements for countering terrorism through appropriate federal agencies. Mr. Palarino observed that while the requirement may have been there, the resources to fulfill those requirements were never made available. PDD 62 established the Office of the National Coordinator for Security Infrastructure Protection and Counter-Terrorism. This was the first attempt at establishing a coordination facility for diverse agency expenditures in counter-terrorism. Congressional inquiries soon led to a mandate for a 5-year interagency counter-terrorism and technology plan, developed through the

Attorney General's office. This 5-Year Plan was to serve as a baseline strategy for coordination of national policy. However, time would prove the office incapable of overseeing all of the funding and programmatic issues surrounding counter-terrorism initiatives.

In partial response to these shortcomings, the current Administration (by August 2001) had initiated the development of an overarching strategy for counter-terrorism, working out of the office of the Vice President. Within FEMA, the new Office of National Preparedness (ONP) was established to implement and coordinate this strategy. The Department of Justice will retain lead federal agency (LFA) responsibility for crisis management issues, but FEMA (through the ONP) will assume NDPO's functions with state and local first responders, as well as retaining LFA responsibilities for consequence management.

Mr. Palarino pointed out how nearly every major study of homeland security issues had recommended the development of a comprehensive national strategy for domestic preparedness. Study after study concluded that the federal government needs a cohesive plan, overseen by a clearly identifiable leadership. Congress has joined in the chorus, and added to the analysis. The Government Reform Committee alone had conducted 21 hearings addressing homeland security issues over the course of the 106th and the 107th Congresses. Out of these hearings, Mr. Palarino discerned three recurring themes. First, a risk management assessment of vulnerabilities to the nation's critical infrastructure is essential in first identifying and then prioritizing our response to the threat. Second, no cognizant agency or responsible individual is empowered to resource those priorities through budgetary authority. And finally, a comprehensive national strategy for addressing the threat of terrorism, from which individual agencies can develop their own implementation plans for available resources against prioritized vulnerabilities, is an absolute requirement.

Panel 4- The Evolving Role of DoD in Homeland Defense

This panel reviewed the evolving role of the Department of Defense in Homeland Security. Panelists viewed the role of DoD from various perspectives, representing academia, policy shops within DoD, the Joint Staff, and one likely operational headquarters: Joint Task Force—Civil Support. The common themes voiced throughout the panelists' presentations were that DoD's function in interagency consequence management would almost always be in a supporting role, and that a need for a comprehensive homeland security strategy was essential in continuing to develop a viable emergency response mechanism.

Dr. Seth Carus, Director of the Center for Counter-Proliferation Research, National Defense University began by voicing a concern over preoccupation with the *terrorist* threat to the exclusion of traditional nation-state concerns. While he acknowledged the dangers of the former, he pointed to studied conclusions (such as those raised by the Foss-Downing Commission) that suggest the growing specter of an aggressor state launching a WMD attack against the United States.

In addressing this issue and others like it, Dr. Carus suggested that the biggest problem for DoD in devising its responses to a WMD attack is to determine how that response will fit into the rest of the interagency effort absent guidance from senior leadership. In addition to that external focus, DoD must also address the balance of our capabilities to fulfill this mission against those required to fulfill the many other functions of the department. Dr. Carus voiced concern over the diversion of resources from DoD to support domestic incidents at the cost of overseas operations. This concern was particularly troubling as it pertains to Low Density/High Demand assets that could have a significant impact on our warfighting capabilities.

Returning to the domestic interagency dilemma, Dr. Carus reasserted the position that DoD's function in consequence management is, and should for the most part remain, a supporting function. He proceeded to declare that those support function capabilities were neither intrinsic nor automatic; that unless they were resourced, planned for, and exercised DoD's capabilities in this regime would exist in name only.

Dr. Carus warned against the supposition that the preponderance of resources and capabilities for use in Consequence Management resided in DoD. DoD's capabilities are only a fraction of what is contained in the government as a whole, and smaller yet when measured against those resources contained in both the public and private sector. In preparing for WMD events, the country must be prepared with plans to mobilize all resources necessary, including mobilizing non-government resources for what amounts to government functions.

Carus drew particular attention to the vulnerability of our installations to Chem-Bio attacks, both overseas and within the United States. Citing the CB-2010 study (Foss-Downing Commission), he noted that such vulnerabilities could seriously degrade our power projection capabilities as an aggressor could interdict our forces before they ever deployed. On a positive note, he noted that proper installation preparedness in CONUS resulted in a "two-fer" security benefit for the surrounding local community as well as the military installation. Those communities would stand to benefit not only from available installation resources, but also from expertise that could both serve the community and help train it to serve itself.

The second panelist, COL Robert Ditch, USAF, Deputy Director of the Joint Task Force-Civil Support (JTF-CS), United States Joint Forces Command (JFCOM), focused on the JTF-CS capability to respond to terrorist incidents or accidents involving WMD. JTF-CS functions as a standing headquarters command and control task force under

JFCOM. It serves as the focal point for planning and integrating DoD support to FEMA when responding to WMD events domestically. The support provided through JTF-CS would include detection, decontamination, medical and logistical assets as required.

COL Ditch pointed out that JTF-CS approaches their task based on effects-based planning. That planning begins with addressing two centers of gravity: *public trust* and *the actual effects of the incident*. JTF-CS intends to gain the public trust and sustain the confidence of the public in the abilities of the government by openly demonstrating a rapid and deliberately tailored response that protects public health and safety, restores essential services, and provides emergency relief.

By targeting the effects of the incident JTF-CS will establish the strategies, tactics, and resources to be directed into the area. This process includes the deliberate steps of gaining situational awareness, estimating the potential course and degree of harm in the incident, developing strategies for response, assessing tactical options, evaluating progress, and reviewing and refining the chosen course of action. In facilitating this effects-based targeting, JTF-CS has developed two separate execution documents, one for responding to biological incidents, and one devoted to Chemical, Nuclear, Radiation, and High Yield Explosive Effects.

COL Ditch pointed out that one of the greatest challenges for JTF-CS and the DoD assets it will direct will be to control the massive convergence of a potentially panicked population and the personnel and assets designed to relieve and restore their environment. In preparing to control this convergence JTF-CS uses an anticipatory planning process built upon threat analysis, target analysis, and effects planning and modeling. This process provides a mechanism for determining force structure and sequencing requirements to maximize effectiveness and minimize waste and duplication of effort. The analysis

considers the total effort of federal, state, and local assets dedicated to recovery and mitigation, and facilitates command and control as well as sustainment. In addition to the oft-cited principle that federal assets should not be introduced to an incident site until the capabilities of the state and local response mechanism has been overwhelmed, COL Ditch reminded the assemblage that DoD assets should not be introduced until the size of the event and the complexity of the effort warrant the resources, forces, or skill sets unique to the military.

It is interesting to note that JTF-CS as an institution and national resource preceded the development of Chairman of the Joint Chiefs of Staff (CJCS) Instructions and Concept Plans (CONPLANS). COL Ditch pointed out, however, that the development of these strategic planning directives (like so much of the evolving infrastructure for domestic preparedness) has reached an institutional maturity that will allow elements like JTF-CS to build execution CONPLANS off of them. The deliberate planning process that comes out of this “lineage of continuity” will provide for the command and control of resources and personnel directed toward consequence management, which will in turn afford the greatest prospects for mission success.

The third panelist was COL Tom Matthews, USA(Retired) of the Joint Staff’s WMD Consequence Management Cell, J33-WMD. At the time of the symposium, COL Matthews’ division was the primary policy voice for consequence management on the Joint staff, developing plans toward that end and serving as DoD’s chief interface within the interagency process for responding to a WMD event.

The office is a reflection of the development of infrastructure for Domestic Preparedness on the uniformed side of DoD, beginning with the Unified Command Plan of 1999 (UCP 99). Responding to the growing threat of domestic terrorism, that plan established the JTF-CS

within the newly designated Joint Forces Command, and reapportioned some of the responsibilities that previously had been under the purview of the Department of the Army's Department of Military Support (DOMS). As the action agent for the Secretary of the Army's Executive Agency responsibility for Military Support to Civil Authority (MSCA) missions, DOMS had overall charge of arranging and directing DoD support to civil authorities in response to catastrophic natural events. However, DOMS was never charged with coordinating DoD efforts in counterterrorism, or counter-drug operations; and with the changes brought about by UCP 99, they will not be charged with coordinating responses for consequence management.

The reason for this division of MSCA responsibilities has to do with the circumstances of the events to which DoD will respond. DOMS will continue to coordinate responses to natural catastrophic events, and industrial accidents that may well result in "mass effects." The Special Operations Directorate or Joint Staff Operations Directorate will address deliberate, intentionally executed WMD-related events, dependent upon whether the response is characterized crisis management, consequence management, counterterrorism, or some combination thereof.

Another reason for the shift away from DOMS to the Joint Staff has to do with how the nation would respond to a WMD event at the highest levels of the interagency process, subsequent to the convening of the Principles Committee (PC) of the National Security Council. Once the response is underway, it is not likely that oversight of the issue would fall below the Deputies Committee (DC). Neither committee has either service chiefs or service secretaries in their membership, while the CJCS and VCJCS are members of the PC and DC, respectively. As such, the Joint Staff, not the Department of the Army, is coordinating the DoD component of the interagency response to the given event.

COL Matthews also mentioned CONPLAN 0500, the Joint Staff directive developed to provide guidance and

implementation instruction for the conduct of WMD-CM operations by U.S. military forces. The concept plan describes policies to facilitate a rapid federal response to a potential or actual domestic WMD situation. It complements and augments federal plans to execute a cohesive response, and will provide information to DoD's interagency partners regarding the types of support the Department may provide to Lead Federal Agencies executing their Emergency Support Functions. CONPLAN 0500 is designed to work in concert with the Federal Response Plan, the National Contingency Plan, the Federal Radiological Emergency Response Plan, and the United States Contingency Plan. Where other members of the interagency have dedicated instructions for consequence management, CONPLAN 0500 seeks to complement those plans; where there are no plans, it was designed by the Joint Staff to be sufficiently flexible to support additional plans.

Mr. Frank Lane of the Territorial Security directorate of the Office of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (ASD(SO/LIC)) was the final member of the fourth panel. Mr. Lane's presentation focused on the history, organization, and process of the Office of the Secretary of Defense's role in consequence management and other aspects of civil support.

The Territorial Security Directorate is a new entity within ASD(SO/LIC) that is responsible for domestic and foreign consequence management, as well as installation preparedness. The directorate assumed the responsibilities of the former Assistant to the Secretary of Defense for Civil Support, and in joining ASD(SO/LIC) brought responsibilities for both antiterrorism and consequence management under one secretariat.

Much of the recent history of OSD's involvement in domestic preparedness issues began in 1996 with the passage of the *Defense Against Weapons of Mass Destruction Act*, better known as the Nunn-Lugar-Domenici

amendment. This law required DoD to develop and execute “first responder” training for 120 cities in the United States (the civilian first responder training program was subsequently transferred to the Department of Justice in October 2000). In the interim, Dr. John Hamre, for DEPSECDEF directed the services to examine their “first responder programs” at their installations.

The Joint Staff’s Counterterrorism Division, J-34, was created after the Khobar Towers attack of 1997. Among its early charges were the directives to develop an Antiterrorism Program for DoD installations, foreign and domestic, and a set of standards for that program. These took shape in CJCS Instruction 2000.12 and 2000.16, respectively. Moreover, the division developed an Antiterrorism Force Protection (AT/FP) planning template for DoD installations with a WMD appendix. By 1999 about one-half of DoD’s installations had developed their plans. In 2000, which CJCS declared to be the “year of the plan,” the number grew substantially. Also in 1999, DEPSECDEF directed each service to examine 15-20 of their installations to gain an appreciation for their first response capabilities. As a cross-benefit from their initiatives to assist in the early phases of Nunn-Lugar-Domenici, the United States Army Soldier Biological and Chemical Command (SBCCOM) has produced data that has enabled DoD to significantly improve their emergency responders response posture.

Mr. Lane outlined several “principles for DoD support” that guide OSD’s implementation of MSCA assets. The first is absolute accountability to the public while respecting constitutional principles and civil liberties. The second is recognition that DoD’s role in domestic preparedness will almost always be in support of other agencies. Third is the fact that when DoD is called in for support, it should be only to provide needs unique to the military; generally those will be divided between manpower-intensive requirements, or highly specialized functions such as those performed by the Marine Corps Chemical-Biological Incident Response Force, or the Army’s Technical Escort Units.

Mr. Lane described ASD(SO/LIC)'s role as primarily overseeing policy functions. The Secretariat provides civilian oversight of all DoD Combating Terrorism and domestic Chemical, Biological, Radiological, Nuclear, and High Explosive Yield (CBRNE) activities. The Assistant Secretary serves as the principal staff assistant and civilian advisor to SECDEF on combating terrorism and providing DoD consequence management support to civil authorities in the event of a CBRNE attack. He will provide civilian oversight within OSD by directing and supervising policy, program planning, and execution, allocation and use of resources. The office oversees the management of the consequences of a domestic incident involving the inadvertent, accidental, or deliberate release of a CBRNE agent or device. Finally, the Secretariat promotes coordination and cooperation within DoD, with Congress, and with other federal departments and agencies.

Panel 5- The Role of the Army in Territorial Security

The Army's role as the nation's largest military land component earmarks it as the federal service most likely to be employed in widespread contact with the American people for Territorial Security missions. The Army is DoD's Executive Agent for Military Support to Civilian Authorities (MSCA), a mission it coordinates through the G-3's Directorate of Military Support (DOMS). The Army's active and reserve components have all historically conducted civil support missions, and the National Guard continues to respond to immediate civil support requirements at the direction of each state's governor. This panel provided an expert perspective on the roles of the Army's three components in support of Consequence Management and Homeland Defense.

The first panel member was Major General Donna Barbisch, Military Assistant to the Assistant Secretary of the Army for Manpower and Reserve Affairs. General

Barbisch observed that the military must limit its desire to anticipate its role in Homeland Security until a strategy is actually developed. Particularly when crafting a response to domestic requirements, the military must always remember that it plays but a supporting role. When a real strategy is developed, one that amounts to more than throwing additional resources at existing and frequently redundant programs, the military will be better equipped to determine what they must really bring to “the fight.” While on the subject of redundancy, she pointed out that certain programs were being designed to “integrate” existing efforts, but were meeting difficulties due to the fact that the programs they were meant to combine were too parochial, with interests too narrowly guarded to easily lend themselves to cooperation.

Continuing her theme that the military is neither the “lead” nor the “end-all” in domestic preparedness, General Barbisch pointed out that significant capabilities reside at local and state levels, as is also the case with other federal agencies outside of the military. Part of our challenge, therefore, begins with understanding what those capabilities are, where they exist, to what degree they exist, and where they need augmentation. Part of establishing a strategy begins with identifying the “gaps” in those capabilities, learning what it is that we *don’t* know, and working to fill the gaps.

General Barbisch explained that an area in which the military *is* uniquely qualified is in “surge capacity,” the ability to quickly mobilize large amounts of needed resources (including manpower) and swiftly deploy them to emergency sites. She pointed out that the greatest contribution the military brings to a relief effort may often be its ability to move in and conduct operations until such time that the civilian response capacity catches up to the crisis. As soon as that civilian response matures, however, she suggested that the military should be relieved of its responsibilities in the crisis. Accordingly, the General suggested that the military needs “a good strategy for

entering the fray, and a good exit strategy for when it's time to leave."

General Barbisch noted that a significant number of people drawn to serve in the Army Reserve are the same type of people that are drawn to the ranks of emergency responders—policemen, fire fighters, emergency medical technicians...even doctors and nurses. When these are one and the same, however, the Army's desire to respond to a given emergency may leave a community vulnerable. The Army Reserve, therefore, is developing a planning methodology that will as a priority draw units from outside the affected locale.

While General Barbisch took pains to point out that the Army will have to take a "holistic approach" in fulfilling its function to domestic preparedness, planning for and employing assets from all three of its components, she noted that the the Army Reserve was particularly suited to this mission. The Army Reserve is organized into 10 regional support commands that align with the Federal Emergency Management Agency's regional divisions. Likewise, General Barbisch noted the 10 Emergency Support Functions delineated in the Federal Response Plan and pointed out how the Reserve had significant capability to lend support to all of them. Harkening back to her previous discussions over "surge capacities," she pointed out that both the Guard and Reserve could bring vital augmentation and relief to over-stressed civilian capabilities in mass care, medical support, and mortuary affairs.

For all of its desire to respond to domestic requirements, which General Barbisch termed an important aspect of our responsibility to "defend the nation," she warned that the Army must guard against becoming so focused there that it neglects the traditional concerns for warfighting missions. Citing the traditional division structure by which the Army fights, she warned against stripping medics, engineers and the like that will be required to provide essential combat support and combat service support to the division in the

fight. Balancing warfighting priorities with civil support responsibilities will be an important, albeit irksome, task for the Army.

The second panel member was Colonel Peter Menk, ARNG, of the Strategic Studies Institute, United States Army War College, who provided valuable insight into the role of the Army National Guard in Domestic Preparedness. COL Menk began by referring to the two roles of the Guard: one designed for a federal “warfighting mission” for which the Chief of the National Guard Bureau provides Title 32 funding for training; and one designed to respond to 54 different “CINCs”—the Adjutant Generals of the states and territories of the United States. In fulfillment of that second role, the federal government provides basically *no* funding; in fact, COL Menk pointed out that the United States is unique among countries in that (with one notable exception of WMD-CSTs) the federal government provides no funding for a “military domestic mission.” He noted that, perhaps counter-intuitively, there have been times in which the “state role” still contained a warfighting function (as when, during the Cold War, the Adjutant Generals had the mission to provide for defense against an invading Soviet force in the event of a nuclear attack); but for the most part, the state mission is devoted to domestic preparedness and security.

COL Menk suggested that this separation of missions, along with the distinctions involved in the way the active Army and Army Reserve may be employed in domestic missions, are part of the “rules to keep control of the military.” A big part of the acceptance of the National Guard as the chief “state militia” is an accompanying distaste for the employment of the regular Army in domestic missions. Americans have a deeply embedded aversion to engaging the military in civil affairs, one shared by the military itself. *Posse comitatus* restrictions on the use of the regular Army in domestic law enforcement roles reflect this aversion. Both the civil sector and the military are attuned to this inclination, and deliberately veer away from handing

domestic missions over to the military, even in the name of “efficiency.” The National Guard (and to an extent the Reserves) is more readily accepted in responding to emergencies because they are seen as part of the community. By extension, if territorial security will define the battleground of the future, the Guard and the Reserves will be the forward deployed troops for that battle.

COL Menk referred to occasions in the past where the introduction of active component units for emergency relief met with less than overwhelming success. A prime example was the response to the devastation brought by Hurricane Andrew in Florida where, once the military departed, the levels of service for the citizenry dropped precipitously, resulting in a backlash of public opinion against the Army’s effort. Subsequently, the civil government sector reevaluated its own capacities and augmented deficiencies through multi-state initiatives like the Emergency Management Assistance Compacts (EMAC); and the need for the federal military was appreciably diminished. For instance, in responding to Hurricane Floyd (a significantly more severe hurricane than Andrew), only 202 active duty personnel were deployed to the relief effort, versus over 20,000 for Hurricane Andrew. Operating as part of a multi-state EMAC, 12,000 National Guardsmen supported Hurricane Floyd’s relief effort, augmenting only those requirements beyond the scope and means of other state and local resources.

COL Menk pointed out that the *only* military unit funded by the federal government for a strictly domestic mission is the National Guard’s Weapons of Mass Destruction Civil Support Teams (WMD-CSTs). The potential value of these teams is gathering rapid appreciation from state governors, so much so that the original ten-team target has already been expanded to 22, with more governors lining up to lobby for additional units. The teams are popular because their missions are clearly delineated, their training is both extensive and in many

ways unique, and their equipment is superb. And, the federal government pays for both training and equipment.

In spite of the growing concern for “specialized capabilities’ to support the homeland security mission, COL Menk echoed General Barbisch’s position that the greatest contribution the National Guard may bring to a disaster is in the area of “surge” capabilities. It is easy to be fascinated by “high tech” responses to natural and manmade catastrophe. But providing shelter, water, food, and ice in an organized fashion; breaking down “push packs” and distributing pills; and providing for other vital, although frequently mundane requirements that can only be filled by a quickly mobilized, highly disciplined force—may be among the most important contributions the military can bring to this kind of “battle.”

COL Joseph Robinson, USA and former head of the Directorate for Military Support (DOMS), was the third member of the panel. COL Robinson described DOMS’ mission of coordinating military support to civilian authorities for the Department of Defense. He pointed out that DOMS’ mission, and the mission of the military in general in providing civil support, is not focused predominantly on terrorism. Hurricane relief, wildfires, special events security preparation (such as for the Olympics or the World Bank/IMF meeting), and a host of other activities—including response to acts of terrorism—all fall under their purview. Accordingly, DOMS’ approach to domestic preparedness is necessarily “all hazard,” as must be the Army’s and the rest of the military.

However, COL Robinson’s intent in addressing the symposium was not in describing DOMS, but in introducing definitions and responsibilities that will serve as the foundation for the Army’s work on homeland security. In terms of definitions, three key terms were addressed: Homeland Security, Homeland Defense, and Civil Support.

The definitions of each being espoused by the Joint Staff at the time are as follows:¹

Homeland Security- The prevention, preemption, deterrence of and defense against aggression targeted at U.S. territory, sovereignty, domestic population, and infrastructure as well as the management of the consequences of such aggression and other domestic emergencies.

Homeland Defense- The protection of U.S. territory, domestic population, and critical infrastructure against military attacks emanating from outside the U.S. Defense missions include aerospace (military, air and space), land, maritime, chemical-biological-radiological-nuclear-high explosive (CBRNE), and critical infrastructure protection (CIP).

Civil Support- DoD support to U.S. civil authorities for natural and manmade domestic emergencies, civil disturbances, and designated law enforcement efforts. Support missions include crisis and consequence management, counter terrorism, border control, coastal-port security, civil disturbance, and National CIP.

The Army's Responsibilities for Homeland Security were described as follows:²

1. Protecting the Nation's Sovereign Territory
2. Conducting National Missile Defense
3. Conducting Information Assurance
4. Providing WMD Defense/Response
5. Providing Civil Disturbance Response
6. Providing Special Event Support

¹ These definitions have been amended since the conference.

² Since August 2001, these responsibilities have evolved to include Disaster Response.

While these definitions and responsibilities help to frame the issue for the Army, significant issues remain to be addressed. Those raised by COL Robinson were:

1. Defining National Command Authorities
Operational Architecture and Policy, Plans and
Programs supporting Homeland Security
2. Determining forces required for Homeland
Security
3. The Changing Role of DOMS
4. Apportioning Forces in the Joint Strategic
Capabilities Plan (JSCP) for Homeland Security

Panel 6- The Combatant Commands, the State Department, and Consequence Management

The Department of Defense must be prepared to address Consequence Management issues overseas, either in terms of reacting to attacks or emergencies that impact bases and embassies; or in response to requests from a host nation. Overseas, U.S. military forces fall under the authority of a regional combatant command. United States Government interagency consequence management abroad is always conducted at the request of the Ambassador, and therefore falls under the auspices of the Department of State, serving as Lead Federal Agency. This panel reviewed consequence management from the perspectives of two of the geographic Combatant Commanders, as well as the Department of State's Office of Counterterrorism.

The first panel member was Colonel E.E. "Butch" Whitehead, USA (Retired), head of the Cooperative Defense Initiative (CDI) of the U.S. Central Command. The CDI is a combined OSD and USCENTCOM counter-proliferation effort, conducted with the assistance of coalition partners to enhance deterrence against the use of chemical and biological weapons (CBW) in the Central Region, and to assist those partners to prepare their forces to operate and

prevail in a CBW environment, should deterrence fail. CDI is an effort to improve the force readiness of our partners and to make them more self-reliant and self-sufficient. COL Whitehead referred to it as a “warfighter issue” for which there is a written campaign plan and separate annexes for each coalition partner in the region.

The chief functions of CDI are to assess capabilities and, where asked, assist in developing doctrine, training in chem-bio defense, and increasing bilateral exercises. CDI will advance the ability of regional partners to protect their own forces, their facilities, and population centers and to improve military cooperation and interoperability among coalition partners—as well as with the United States. An underlying objective of the program is to dissuade those partners from acquiring WMD capabilities on their own, while deterring their potential adversaries from using WMD against them. The initiative has five functional areas:

1. C⁴I, interoperability, and shared early warning
2. Theater air and missile defense, active defense
3. NBC passive defense
4. Medical counter-measures
5. Consequence Management

The Consequence Management Engagement Program, following the direction of the rest of the initiative, is designed to enhance the partner’s response readiness capability by identifying and optimizing the use of their own resources, and developing a coordinated national CM response mechanism within that country to synchronize military and civil efforts.

COL Whitehead explained that Consequence Management is another engagement strategy for the CINC that will hopefully proceed from bilateral to multilateral efforts designed to achieve, among other things, wartime interoperability throughout the theater. While the coalition partners have enjoyed success in increasing their individual

awareness and capabilities toward CM operations, they are also discussing the importance of developing regional command, control, and coordination concepts. In EAGLE RESOLVE 2001, CENTCOM's annual multilateral exercise, a regional CM coordination council was established, which the command hopes will eventually develop into a cooperative element to support national consequence management operations centers.

COL Whitehead ended his presentation with a discussion of CENTCOM's Contingency Plan (CONPLAN) for responding to CBRNE incidents. The plan begins with recognition that the coalition partner is ultimately responsible for its own CM operations, and that any assistance effort in support of those operations by the United States would be provided with the Department of State serving as the Lead Federal Agency. The contingency plan is structured in five phases: Initial Assessment; Immediate Assistance; Extended Operations; Disengagement and Handover; and Redeployment. The desired end state for the CONPLAN is the mitigation of the effects of a given event to a level that meets host nation standards, and a return to normalcy.

The second panel member was LTC Arthur Bland, USA, of the Pacific Command's Joint Task Force for Consequence Management. PACOM's initiatives are gathering interest among its member nations. Like CENTCOM, the command has begun inserting consequence management scenarios into larger established exercises, such as YAMA SAKURA in Japan and COBRA GOLD in Thailand. The incidents in the exercise scenario range from WMD events to natural disasters, with more attention in some countries being given toward the latter. Nevertheless, the focus is gaining impetus throughout the region.

LTC Bland pointed out that USPACOM has no standing force structure for consequence management, and that the only standing component of the Joint Task Force is the headquarters element. There is, however, an augmentation

package identified for activation in the event that a task force is needed. The exact organization of the JTF in response to a given incident will depend upon the nature of the incident, the capabilities of the host nation, the location of the event, and whether or not supplies and equipment are located “in country” or will have to be brought in.

All of the exercises PACOM has conducted to date have addressed incidents that occurred in countries where United States forces are already present. LTC Bland confessed that they have yet to have a “cold start” out of Fort Lewis, WA specifically designed to support a consequence management scenario or event. He remarked that the Command’s response to an event would be regulated by the same sort of constraints and realities that will be faced by the military in the States: they will seldom, if ever, be the first responders; bilateral agreements with other countries and civil agencies for consequence management may make the PACOM military assets unnecessary or at best secondary; and the military may only be called if existing agreements cannot be met, or if the system is overwhelmed. Echoing the USCENTCOM presentation, he noted that any official support from the United States would not be headed-up by PACOM, but that the military would provide support to the Department of State’s initiative.

The support role is welcomed by the PACOM responders. To begin, they depend upon the analytical feeds from the Department of State to tailor the response that they will bring, both in terms of equipment and forces. This input may prove vital to tailoring the package for the response. Getting things “right” from the beginning is important in PACOM because time and distance are significant considerations in deploying within the PACOM AOR. For instance, responding to a consequence management situation in Korea with active duty chemical forces, unless available and provided from units in-country, could take 72-96 hours. Mobilizing and deploying reserve troops for that mission could take up to two weeks.

LTC Bland proposed that one key to success in consequence management is public awareness. He identified the Public Affairs Officer as a key member of the CM task force, especially considering the requirement to interact with the State Department and local media. The message to be conveyed to the country's leadership must be clear: we are "here to help," and by no means "here to take over."

LTC Bland emphasized the importance of the Civil Military Operations Center (CMOC) in assuring cooperation among diverse organizations during consequence management operations. Establishing this center is vital to connecting the military, the host nation government, the civil sector, and the NGO/PVO community in a common effort toward mitigating the effects of the catastrophic event. He suggested that there should be an executive-level working group comprised of the embassy's deputy chief of mission, the general officer coordinating the Joint Task Force, and host nation ministerial personnel to provide policy guidance to the operational CMOC and to add legitimacy to the missions that are being executed at lower levels.

LTC Bland reviewed what he considered the basic requirements for success in a military supported consequence management effort. These include the importance of "staying in your lane" when conducting the mission. Coordinating at all levels, establishing and clearly understanding support relationships, and time phasing the arrival of support functions will all be essential considerations. Finally, he stressed the importance of a clearly identified and agreed upon end state. As USCENTCOM had previously identified, it is essential to establish from the outset a level of mitigation agreeable to the host nation.

The final panel member of the symposium was Mr. Sam Brinkley from the United States Department of State's Office of the Coordinator for Counterterrorism. Mr.

Brinkley reminded the assemblage that DoD's response to a consequence management requirement overseas is but one course of action. Another alternative—the preferred alternative—is that the host nation is prepared for the terrorist threat that is the root of our concern, and the event does not occur because it is either discovered or deterred. Still another option—also preferred over committing DoD assets—is that the host nation is prepared to respond on their own, or is a member of a regional compact that will respond to its needs.

Mr. Brinkley noted that the source document for the country's recent activity in consequence management and related issues was the previous Administration's Presidential Decision Directive 56, Managing Complex Contingencies. One of the key components of that directive was the requirement to have an exit strategy developed for a given contingency before we committed to it.

Mr. Brinkley's presentation considered the fundamental notion that without terrorism the preponderance of our concerns over WMD-CM would subside. In an interesting foreshadowing of information that would become familiar to all following September 11, 2001 he drew particular attention to al-Qaeda and Usama bin Ladin, the transition of terrorist training centers away from Sudan and the Bekaa to Afghanistan, and the dilemma faced by Pakistan in dealing with that situation. He warned against losing sight of the fact that state sponsored terrorism, while on the decline, is still a concern, that tracking the funding mechanism for terrorist networks frequently ties it to narco-trafficking and occasionally to NGO front groups, and that modern day terrorism has a "global reach." Finally, he warned against the growing tendency for terrorists to attack "soft targets" with far less concern for civilian casualties.

Mr. Brinkley reiterated the four tenets of the U.S. Counterterrorism policy that were promulgated in 1986 with National Security Decision Directive 207, and

developed as a result of the Vice President Bush's Terrorism Commission:

1. No concessions should be made to terrorists.
2. Terrorists must be brought to justice.
3. Identified state sponsors of terrorism should be isolated, and forced to change their behavior.
4. The United States should bolster the counterterrorism capabilities of those countries willing to work with us, and who require our assistance.

As a result of NSDD 207, the State Department developed its strategy to reduce the threat of international terrorism against U.S. interests. It, too, contains four principal tenets:

1. *Pressure* states to end support for terrorism.
2. *Disrupt* terrorist activities to prevent attacks on U.S. interests.
3. *Deny* sanctuary to terrorist groups that threaten U.S. interests.
4. *Bolster* U.S. and foreign counterterrorism and antiterrorism capabilities.

In addressing these tenets, DOS orchestrates both the diplomatic and economic elements of national power to encourage and enable the fight against terrorism, while particularly arming "key front line states" with Counterterrorism Assistance in order to contain movement, planning, and operations that threaten the U.S.

Out of the resources and programs devoted to that Counterterrorism Assistance, Mr. Brinkley devoted particular attention to the Antiterrorism Assistance (ATA) program and the Foreign Emergency Support Team (FEST). ATA is managed through the Diplomatic Security Antiterrorism Assistance program and is devoted to enhancing the host nation's capabilities in law enforcement,

security, and forensics. The FEST, however, directly supports crisis response. It is an interagency response team that is on a four-hour alert to launch from Andrews Air Force Base to anywhere in the world. It is task organized for missions associated with crisis management or consequence management, and the decision as to which of those structures is to be activated is frequently made just prior to deployment. That decision is made by the Counterterrorism Security Group (CSG) of the National Security Council, which is composed of representatives from the FBI, the Department of State Counterterrorism Office, the Office of the Assistant Secretary of Defense for Special Operations and Limited Intensity Conflict, and the Joint Staff J-3.

The immediate mission of the FEST is to assess a given incident, and provide advice to the Chief of Mission of the U.S. embassy in the affected country as to what may be brought to bear to assist and mitigate the effects of the incident. Mr. Brinkley re-emphasized the primacy of the Ambassador's position in orchestrating the government's efforts; nothing will occur without his approval, as direct representative to the President of the United States. In a permissive environment, all actions to be taken should be coordinated through the CINC, the Ambassador, and the host nation. The actions to be taken for a WMD event are described in the newly drafted International Incident Response Plan.

In addition to the FEST, the Consequence Management Support Team (CMST) is another asset that can be committed for crisis response and mitigation. This team is not on an alert status, and is brought in to relieve the FEST team with skill sets particularly tailored for consequence management. The CMST can be employed either to reinforce or relieve the FEST.

Mr. Brinkley emphasized the value of the NGO/PVO community in conducting consequence management overseas. He pointed out that a hand-off to NGOs and PVOs

may represent the most effective exit strategy for the DoD and the DOS. These organizations possess many of the requisite skills needed to sustain relief operations following a catastrophe, and very often have developed a community rapport that is impossible to replicate. Coordination of their efforts with those of DoD and DOS is accomplished through the Civil-Military Operations Centers (CMOC). Mr. Brinkley pointed out that the Office of Foreign Disaster Assistance (OFDA) will frequently subsidize the efforts of these organizations.

Dark Winter

The final formal presentation of the symposium was a report on DARK WINTER, the groundbreaking exercise sponsored in June 2001 by the Center for Strategic and International Studies, the Johns Hopkins Center for Civilian Biodefense Studies, the ANSER Institute for Homeland Security, and the Oklahoma National Memorial Institute for the Prevention of Terrorism. The results of this senior-level war game, examining the national security, intergovernmental, and information challenges of a biological attack on the American homeland, have been briefed to some of the most influential members of the nation's government. The presentation was made by COL Randall J. Larsen, USAF (Retired), Director of the ANSER Institute for Homeland Security.

Chapter I

Panel 1 – The Evolving Infrastructure

Introduction.

This panel's objective was to address the evolving civilian infrastructure for consequence management at multiple echelons, covering the full spectrum from local response, through regional and state capabilities, and ending with the structure and resources for federal response. Both panelists representing federal organizations, however, were drawn away from the conference at the last minute due to unforeseen contingencies. The focus of the panel, therefore, shifted to a review of the local, regional and state response structures. The resulting panel expertly brought into focus the fact that all consequence response is initially local, that site response command usually remains with local authorities, and that many conventional emergency responses may be handled entirely within local, regional and state capabilities. The panelists grounded the symposium's audience in the capabilities and challenges of the first responder and local public health communities, and established an appropriate baseline for the subsequent panels that were to address primarily national, federal, and Department of Defense policies and roles in consequence management.

**Mr. Donald “Doc” Lumpkins
State Anti-terrorism Officer
Maryland Emergency Management Agency**

I’m the program manager for the Terrorism Consequence Management Program - the anti-terrorism officer for the State of Maryland. Picture me as big as I am with a big glass case around me. Assuming everything goes right—Intelligence, Law Enforcement, and all those other folks do everything that we hope and pray they do—that glass case never gets broken. Occasionally, it does. Sometimes its terrorism, sometimes it’s something like terrorism. But occasionally things go wrong and that’s when we come in. Consequence Management at the state and local level—we try to clean it up.

I’m going to talk about a couple of things. One, we want to understand what the role of the state is because that misunderstanding is a frequent problem. We focus a lot on the federal side and on the local side, but there is this large, nebulous yet constitutionally organized entity in the

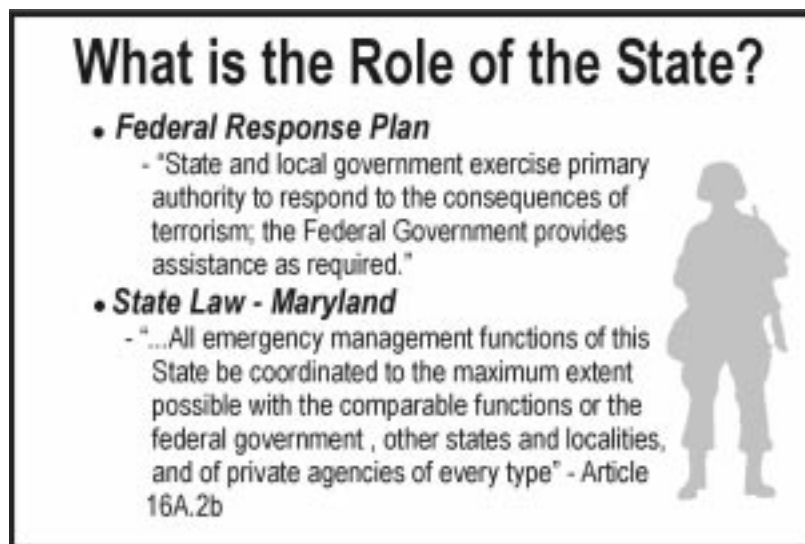


Figure 1-1.

middle, the state, that is really not tackled. Second, I want to talk about the good, the bad and the ugly of the issues nationally. And when I say nationally, I don't mean *federal*, I mean nationwide what folks are doing that works well, what doesn't, and some things that just need to be gotten rid of. What we're doing in Maryland is not original so much as it is that we're doing all of it together. And then finally, I would like to address what our expectations are with regard to federal assistance in our state's efforts.

The Role of the State

The role of the state is outlined in the federal response plan. State and local governments exercise primary authority in responding to terrorism. That's different than crisis management. State and local governments have that primary authority. It makes sense. If something happens, we're going to be the first ones there. If it happens, we're going to be the ones who know where the roads are, what the back roads are, and who the smart people are. It is also outlined in legislation in almost every state. All emergency management functions of the state are to be coordinated to the maximum extent possible.

Article 16a¹ is my emergency authority in the State of Maryland. Other states have similar legislation that basically says that when things get really bad, it becomes a statewide problem. That doesn't necessarily mean that the state takes over from a jurisdiction. We act in support as much as the federal government acts in support of us.

That is how it should work. When the federal government is involved, it supports a state, the state supports a local government, and local government deals with the incident and it all works together. I have to tell you that in the case of the train derailment in Baltimore it worked incredibly well.

¹ Of the annotated Code of Maryland. Mr. Lumpkins stated that articles 41 and 65 also apply.

Unfortunately, it usually happens differently. The federal government does something, gives it directly to the locals, and then maybe the state finds out about it and maybe it doesn't. We can get into some of that when we get into the practices. So let's talk about that.

National Effort – Effective, Ineffective, and in need of Improvement

There are some good practices that are effective, solid, well thought out and provide an incredible amount of benefit; really good stuff that we look forward to, that I wake up to in the morning and say, "Wow, this was a brilliant idea. I'm glad somebody thought of it." Some of the stuff is ineffective. It's just bad. Weak initiatives and all they really do is muddy the waters. It's those types of initiatives that we really have to think long and hard about if we're going to continue them. Then the last are right in the middle. They have a lot of potential if we work them out to their logical conclusion, which very rarely do we have the time to do.

So what is effective? Initiatives like this symposium. **Initial planning discussions** have been very effective. I have attended quite a few of them in the few years that I have been in the agency—and I haven't been there terribly long—but they have been really good because they have started the process. But we'll get to the continuance of the process in a second.

Specialized training centers are another effective initiative. There are just some types of training that at the state and local level we can't afford to do. It would be impractical. For example, most of you are familiar with the high explosive training out in Nevada. Trying to find *that* type of space to provide *that* type of intensive training is impractical if you're talking about fifty states running 50 training centers. Having a specialized training center for that purpose, however, is outstanding, and it is working very well from our perspective. The same thing is true with Alabama; the same thing with New Mexico. These



Figure 1-2. What is Effective?

specialized training centers, including the one at San Luis Obispo, have worked out very well for us so far. That helps a lot.

Some good work is being done in **researching equipment and processes** at the federal level. State and local governments are not designed to do massive research into equipment. Maryland has acted in support of it before, as has New York, and I imagine Pennsylvania as well. We've been involved with a lot of the technical research that has come out of Soldier Biological Defense Command. Equipment testing—what really works, what's going to work on the scene in the field and is practical.

If for some reason you don't have a solid concept of what is practical, what I encourage you to do is to find a friend that has an M40 mask, put on some gear, then go to a firing range. Just try to squeeze out 4 or 5 magazines—your choice of weapon—and see how your breathing is afterwards. Then try to do the same thing as a tactical exercise, run and gun. It's tough. That's why we need that research done. We don't

have the time, the finances or the equipment to do that type of research.

Small-scale exercises have worked very well. Especially, a lot of the tabletop exercises have worked out very well, at least initially.

Providing remote access to subject matter expertise is one of the greatest services the federal government can provide for the state and local responder. I love nothing more than being able to pick up the phone and call—and some of you are in the room—one of you and say, “Here’s what we’ve got. Tell me what I’m looking at.” Again, state and local government in many cases do not have the time, nor are they in the position to develop that expertise. And though HAZMATs are “old hat” for us, HAZMATs that are criminally motivated, which may not be HAZMATs but could be bio, could be radiological release attached to a conventional weapon, or whatever—those we haven’t done a whole lot of. It helps to be able to tap into available expertise to handle something like that.

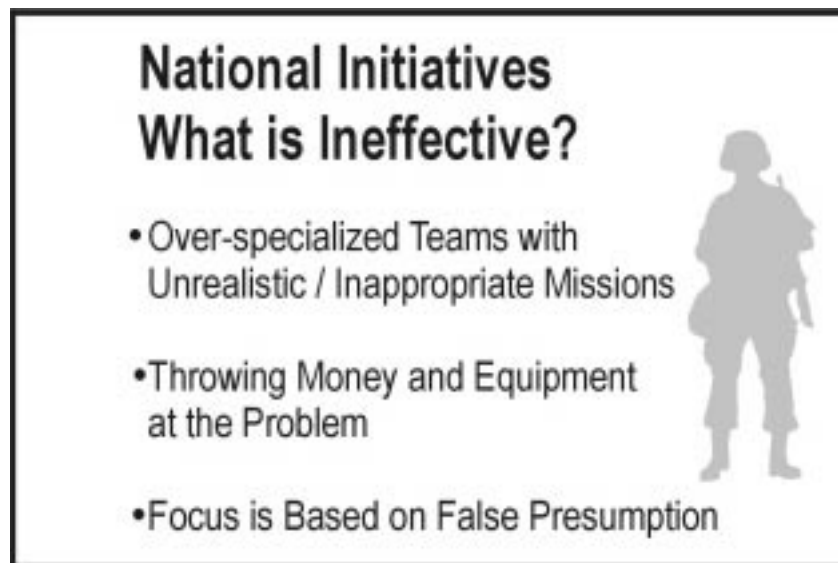


Figure 1-3. Ineffective National Initiatives.

What has been ineffective? **Overspecialized teams.** Now, I say that, but there are teams out there that have been developed that we think will work if they're refocused. What we want to caution against is having a team that is so specialized and so focused on this threat, be it a response element or a think-tank team, that they miss what is going on around them. Perfect example would be that we develop assets within the State of Maryland. We don't develop an asset to deal with terrorism...we develop an asset to deal with nuclear, biological, chemical and radiological incidents. Small change in semantics, but it also means that I can use them for a standard biological outbreak, it also means that I can use them for a nuclear power plant incident; it also means that I can use them when I have a rail car catch on fire in a 1.7 mile tunnel under a metropolitan city. They don't have to be *over-specialized*—they need to be *qualified*.

Another failure along the federal front is simply **throwing money and equipment at the problem.** We have all done this. The state is no exception. It gets you so far; the shotgun approach works to a point. But we're past that point. It's time to think before we act, figure out what we're doing with these funds and move forward. From a purely selfish standpoint, the Department of Justice has put the states to the fire on that one through Congress and OMB and has said we have to have some concept of a plan as to what we're doing in training, exercise, equipment, and technical assistance. The states are doing that. Was it the way we really wanted it to come about? Did we really want it to get to the point where somebody said either do this or you don't get your money? No, but that's where it had to go. Sometimes that's the motivation that is needed.

An initiative will be ineffective if its primary focus is based on a false presumption. There is a tendency out there to believe that a state and local government will be so completely overwhelmed and so shut down that the entire entity is nothing but cannon fodder. Let's assume that that's the case for the minute. I know in Maryland that in almost



Figure 1-4. What Needs Improvement.

every response entity we run three shifts. Let's assume we've gone to two shifts; that's 12 hours each. Worse case scenario, we lose half of what we have because the second shift isn't dumb enough to follow the first one in. They'll pause. So the expectation that a state and local government is going to lose 100% of its assets is a false assumption. It's also a false assumption to assume that in an initial response, state and local entities cannot deal with the situation. I've got to tell you they may not even know what the hazard is, so they will deal with it perhaps until they figure out what is going on and get scared. Who knows?

What needs improvement? **Development of subject matter expertise.** Nationally that has been a really good process so far. Expertise is a strong word, but it is what's needed. Some of that expertise is in the room. We need that development nationally and not just at the federal level. We need practical experience as well. Now some federal partners that we work with have personnel who have been in the field. A perfect example, a gentleman we work with in the FBI in Maryland used to be a Tampa Bay area police officer. He understands what it is like being law

enforcement as a beat cop in a metropolitan city and can relate to what those issues are. That's the kind of expertise we need. We need somebody that has been there, knows what the score is, knows how to work with folks, and then we can train them on these other aspects, the weapons themselves.

Training methods, materials and certification. We need new types of training. I lauded the training centers—they are invaluable. There aren't quite enough of them to deal with the flow. Some of that material may be able to be taught through other methods—distance learning, computer-based training, options like that. There is no well-defined certification for this training either.

Corrective active plan implementation. Earlier I pointed out that initially we do a great job, but we do a lousy job following up. Pick a national exercise, pick a regional exercise, pick a workshop. On par, we do a lousy job of following up. Developing the corrective action plans and making the actions happen. It's not enough to say we're going to fix it—we need to fix it.

Large scale inclusive exercises. We're not doing terribly well in those. I say that as a victim of one of them. For those of you who were involved in TOPOFF, we had a very interesting set of conversations. I consider any exercise a success if I leave it knowing what is wrong with my response, and we certainly accomplished that. But we had a lot of design discussion problems. There have been a lot of implementation problems, and we need to work through some more of those.

Information sharing. I could tell you right now that the threat in the United States is relatively high for terrorism, at least in theory. I can't tell you why, I can't tell you how. Some of that is because of the nature of the information, though I'm certain 95% of the room has a higher security clearance than I do—I'm just a state employee. Five percent of it I can't tell you because it is in fact local law enforcement intelligence related to a criminal

investigation. However, there has got to be some middle ground where we can give you enough information to lean forward without disrupting your case. I can lean forward as a state emergency management agency and not have anybody know about it. Many of you are residents of the State of Maryland. Most of you have not realized that in the past 12 months the state emergency operation center has activated, and we don't activate for just anything. It's very rare that we spin up the center, but we did it either partially or fully, more than 12 times. Some of those were exercises, some of those were threats, some of those were confirmed incidents in adjacent states that had to later be disproved, but we've gone through these processes. We know how to do it quietly.

Funding initiatives. Focus the funding, make sure it's going to the right place, make sure that the qualifiers we're funding are accurate. I'll give you the perfect example that has since been corrected, so kudos to the Justice Department for this one. The initial equipment grant funding that Justice put out went to cities with populations over 500,000, which got four of our five biggest targets in the State of Maryland. Our fifth target has a regular population in the 30,000 to 50,000 range, except from Memorial Day to Labor Day when the average population is well over 100,000 and they're all on a barrier reef. Ocean City was not qualified for the Justice money for the equipment; and initially when FEMA did funding by census tract, Ocean City didn't qualify again. That was a problem we had to fix and it got fixed. We need to make sure that we don't revert to that because of some pressures.

Maryland Best Practices

These are the particular areas that we focus on in the State of Maryland. **Specified Points of Contact.** We require single points of contact both for crisis and consequence management and for overall coordination. I work in the Emergency Management Agency, but I am the

Anti-Terrorism Officer for the State of Maryland. The Counter-Terrorism Officer for the State of Maryland is a gentleman in the Special Operations Division of the Maryland State Police. If you can't find anybody else, you find one of us, and we'll get you to the public health person, fire, bomb squad, whatever you need.

Select state level personnel to serve with a primary focus in criminal disasters. This is a problem. For the most part at the state and local level, and we really don't have much of a choice—this is a second job for somebody and it shouldn't be. Notice I said criminal disasters. Again, the dual focus. My title is the Anti-Terrorism Officer for the State of Maryland. However, I do anti-terrorism, civil disturbances, school violence and the occasional train derailment. Operationally focused with a bunch of things that share common base line issues.

Identify trained local personnel to provide assistance. We do things at the state level. We have something in Maryland called the Terrorism Forum. I know Pennsylvania has some terrorism working groups that they use to bring these folks together. Every state needs to be doing that and slowly they are, but probably not fast enough. Again, we get these same people in the room, it's just as good for terrorism as it is for dealing with West Nile Virus or with a HAZMAT.

Maryland terrorism forum. We break it down into three separate levels. We have an executive committee. I'm normally not fond of involving a lot of political officials; I'll be the first to say that. We need that cabinet. We bring them in because that gives us the weight we need. That includes representatives from the Association of Counties and the Municipal League because we need the local support as well. Then our standing level, steering committees and sub-committees. As you can see here, we focus on some fairly diverse areas. MERIT is that intelligence information sharing piece that I was telling you about. That's a conglomeration of both federal, state and local law

enforcement working with non-law enforcement personnel to make sure we know what's going on.

Foreign animal disease outbreaks. That's been great for us. We get to look at all this data that is pouring in that more or less mirrors a biological release, agro-terrorism, and not actually have to have one of our own incidents. I have sympathies for Britain and for all of Europe. God forbid this should go much further than Argentina, South America and some contaminated food in some shelters in the United States. We've had a chance to look at that and practice, and that lets us mirror out some of the things we would do in a terrorist incident.

Pandemic influenza planning has been very good for us. Again, it shows us the same models: how are things going to spread, what are our entry points, how do we control an outbreak of that magnitude?

Fixed site HAZMAT incidents. Nuclear power plants. I go back Thursday afternoon to spend Thursday night in the state operation center pretending that we're having a meltdown in Calvert Cliffs. It is our dress rehearsal, and so I have to figure out what costume I'm supposed to wear for this and why we call a nuclear power plant drill a dress rehearsal. But nonetheless, we have one and it's this week. We welcome you to come down and join us.

Hostage situation. Many of you may remember the situation involving Mr. Joey Palzinski, a fine experience in military support to civil authority, which worked out quite well for us in terms of learning what the operational issues are going to be. We're going to continue those lessons this Saturday with a live training exercise, except this time our bad guy is going to have a bomb. We're going to see how that works out, see if our folks can go in and render that safe.

Civil disturbances. Much like the rest of the region, we are planning for the IMF. We are getting ready and hopefully much like Y2K, hope we plan it so well that nothing happens.

Training Standards. Development of uniform training standards. We have just approved at the working level—we're going to get our cabinet to sign off on it in October—uniform training standards, which means we have identified at the awareness operations technician and specialist level the minimum standards needed to be qualified no matter what service you're in. Obviously, we would like people to excel, but only a handful of folks have gotten that far to the issue. We think it needs to be taken further, and we've done it based on existing guidelines. We have not created new words. If you take our guidelines and you match them up with the minimum standards of anybody else's guidelines that are legislated, I think you'll find that we cover at least what they're asking for, if not more.

Specialized training based on duty assignment and target. We have specialized personnel that only work certain facilities, such as the World Trade Center in Baltimore. Baltimore is a very strange city. We have the world's longest submersible tunnel design; we have the world's widest underwater tunnel; we have the world's tallest 5-sided building mostly because nobody builds 5-sided buildings except us and the Pentagon, but we have one and it is the World Trade Center.

How many of you have ever been to Inner Harbor? How many of you realize that on the west side of Inner Harbor, what's called the Light Street Pavilion where all the restaurants are, is actually sitting on water. And it's on water all the way back to Charles Street. It's a shelf about that thick of concrete. There's about that much air underneath it and then water. I think we have the world's worse undertow under there. But the entire structure floats. Very few people realize that. So when that tunnel went under Howard Street, imagine the vibration if the whole train had detonated as opposed to a few cars. That's the kind of concerns we look at. We have to train people for those specific targets.

Aggressive program of education for senior personnel. We drag, kicking and screaming sometimes, county executives and members of the governor's cabinet in for training. Because as all of you know if the bosses don't understand it, it's very hard to get them to buy off on it. You can only treat them like mushrooms for so long before you have to educate them to make sure that they understand what the programs are.

Comprehensive 15-month exercise program with specialized drills to address specific issues. Transportation infrastructure, tactical response and render safe. Why those? Because we very rarely train on them. I turn to my folks and I say, "You've been so trained on how to deal with what happens when the bomb goes off. Have you ever been trained on how to stop the bomb from going off?" And they all went, "Well, we know how to stop mechanical triggers, but we need some work on the electronics." So one of the things that my program does is that I get the very great job of building bombs. Come by the office one day and you can blow something up with me. It will be great. We're doing that this weekend. We're setting up a real device for them and saying, "Merry Christmas, here you go." We're attaching a car alarm to it instead of an explosive. We obviously don't want to kill our responders, but we really train them on what's going on.

Operations. To our benefit, we have had some real operations. There's something unique about being in this region. Some of you work in Washington, D.C. Some things around here won't work anywhere else, some will. **Special events** are unique around here. Almost every event becomes a special event, especially if the President decides to show up. Even if he doesn't, we have IMF, we have OpSail, we have NATO 50th, we had the Republican National Convention that some of our folks supported in Pennsylvania. We have other events that crop up all the time; special events that we have to work and deal with.

Technical assistance to adjacent jurisdictions. We provide support to jurisdictions as they provide support to us. It is equilibrium. We evaluate their exercises and they evaluate our exercises. We observe, they observe. That's going on regionally, and we encourage that all over the place. We want to see everybody doing that.

High impact natural and man-made disasters plans. We get them, other states get them: Hurricane Floyd, winter storms, Hurricane Andrew, earthquakes, tornadoes. Not quite Biblical proportions, but of significance that our practice in those of interoperability. Let's just make sure that we can do interoperability in other events.

Expectations of the Federal Government

What do we expect? We'd really love a **unified federal structure**. I know that for those in the room from federal agencies, you're working on it so I won't beat it too much this morning. In addition, we need **smart application of funds** to the problem; we want to make sure things stay focused.



Figure 1-5. Expectations.

Identified standards. I'm not asking for mandatory because I got to tell you that you'll probably never get mandatory down everybody's throats. What I am asking for is recommended. We're not saying that these are the mandatory standards of the State of Maryland; we're simply recommending them. In many cases the vacuum is so big that recommended will be just fine. They need some sort of idea of where they should be heading.

Information sharing improvements. A comprehensive approach to sharing information. At the federal, state and local level there should not be a question in anybody's mind as to where we're going. I should not be asked that question every time I go to a conference. "Where do you think Uncle Sam is going? Where do you think the states are going?" We should know. It should be so plainly obvious that it stops being a question.

So with that I think all of the expectations that I have are realistic and possible but that's because I came up with them. Of course, I think they're realistic. There's not a thing up there that I suggested at this point that isn't already being addressed somewhere. Not just in Maryland, not just in Pennsylvania, New York or D.C. Somebody is addressing them somewhere right now, and we need to make sure it is picked up and gotten around to everybody.

All can be accomplished without trashing the system. I cringe every time I hear somebody say that we need to do terrorism entirely different. I'm paid by anti-terrorism money. My job is terrorism consequence management, and I'll tell you that I don't need a different system. I need to be included in the current system. I shouldn't have to change how I ask for federal support. I shouldn't have to change how I train my personnel. I just have to give them more training in certain areas. I should be able to use my existing structures and add this new threat to that list. We need Uncle Sam to step up and ensure that coordination. The states are doing it, the locals are doing it, but we tend to do it regionally as our day-to-day threats warrant. We need

somebody back at the home office making sure that it's all coming together nationally.

Mr. J. David Piposzar, M.P.H.
Allegheny County Health Department
Pittsburgh, Pennsylvania

I think it's important that you understand that the systems that are out there are not in the best position of understanding what military assets are available to us. So I think it's better that you hear what system we're trying to develop, and perhaps that will lead you toward being able to provide us the best assistance while we're developing our programs and our response capabilities.

My specialty is bio-agents. I'm more concerned about biological terrorism than I am about the chemical and nuclear side of things. I think you can understand, for obvious reasons, why that poses a much bigger threat to our system and what we're trying to do to develop our abilities to manage that, both from a public health standpoint and from a medical perspective. I hope that I leave you with the understanding that we are woefully inadequate with regard to the medical and public health system in our ability to respond to these kinds of mass casualty incidents.

I'm here representing Pennsylvania Region 13 Working Group. I am part of that working group. I am the chairman, however, of a smaller group that is working on the Metropolitan Medical Response System (MMRS). Pennsylvania Region 13 encompasses 13 counties in southwestern Pennsylvania including the City of Pittsburgh, our major metropolitan area. If you look across the state, it's a pretty large chunk of Pennsylvania's 67 counties. It represents about 3 million in population. It is a regional approach that is unique when you look at metropolitan medical response systems.

The federal government can't continue to fund single-city initiatives. We must approach funding regionally. That's why our regional working group was developed. We started this in 1997, long before the whole issue of metropolitan medical response systems was being

developed. You cannot fund every city in the United States to the tune of \$400,000.00. We have to learn to deal with mutual aid and with sharing of resources.

Pennsylvania has divided the state into 9 different task forces. We have broken the southwestern area into one task force that is working on common problems. I have traveled to a number of these task forces. Many of them have nowhere near the kind of capability that we're developing in Allegheny County, southwestern Pennsylvania, but the model is what we're trying to strive for. I'll be talking about some of the initiatives we are working on in Region 13 that have gone into making up that model.

Region 13 has a number of goals to improve our readiness. One is to formalize mutual aid agreements. Another is to develop interoperable communication systems. Within our police, fire and medical systems within that 13 county area, we're looking at probably 400 to 500 different frequencies, and we're all on different channels...UHF, VHF, 800 MHZ systems, etc. We do not have interoperable communications. Those are two big items, and I'll expand on both here in a moment, but here are some initiatives.

Specialized Equipment Pools. We can't all afford to go out and buy \$40,000.00 in mass spectrometer equipment for chemical emergencies. You just don't go out and do that sort of thing. We need to share these.

Specialized Training. One of the quickest pieces of advice I can offer to a locality is to "apply for grant funding." You'll see some of this in other pieces that we've been working on.

Criminal Intelligence Protocols. Clearly there is a need to work out the relationships between the criminal intelligence and the medical intelligence sectors. We all have to come up with some concept of what is a credible threat.

Delivering Highly Trained and Equipped Teams of Responders. This is where MMRS teams that I'll be talking about later are coming into play, and how we're developing our mutual responses and capabilities at all levels. Of course, our whole goal is to insure the highest level of life safety at a responsible cost to our taxpayers.

Mutual Aid Agreements. These are very important, and we have had some real success with them. Very rarely will you see all 13 county commissioners agree on a mutual aid agreement, but clearly we all have to work in those directions. Everybody is in it for the common good. Of course, getting the political structure to sign off on what we are trying to do will be an important part of the process.

Working Committees. Our county emergency management agencies serve as the single focal point. Each county has an emergency management agency. Each of those individuals is part of the policy group.

Communications Group. This is primarily charged with tying in all the 911 systems. EMS dispatching, fire dispatching, HAZMAT dispatching, etc., all get incorporated through 911 systems. Clearly, if we integrate those systems, we have a much better communications system. And obviously, these systems will have to be interoperable throughout the first responder communities.

Fire and HAZMAT, Medical and Health, and Law Enforcement Training Programs. We work on various exercises, tying these all together. We had a bio-tabletop exercise in February. We had a full-scale chemical exercise in September in which we were testing our medical capabilities. Trying to organize 500 victims to go to 30 different hospitals to test their capabilities is a major, complex system that needs to be developed everywhere.

Common Protocol, Standard Operating Guidelines. These have to be developed and shared with one another. None of us have the time to develop a special operating plan—for anthrax, for plague, for tularemia, for

all of these different agents that we're dealing with—and understand what the system might be and how to make it uniform. One of the worst things that could happen is to have a lack of consensus on what the best approaches are. We'll be criticized to death over those kinds of issues.

Common Emergency Operations Plans. In Pennsylvania, we have a standard format, Annex X. No matter where you go in the State of Pennsylvania, you will have an annex that relates specifically to terrorism activity. Any one of you could go and pull a book in a county's operation plan at their center, open it, and read and understand immediately what is happening with the system and who's to do what.



Figure 1-6. Educating elected officials on first response operations.

MMRS (Metropolitan Medical Response System). I'm going to talk about this in detail, because I think it's where we really need to focus a lot of attention. We developed training programs for all of our fire, police, and HAZMAT first responders. We also try to educate our elected officials. A lot of effort has to go into explaining to our

elected officials the capability, and especially the local abilities, to dress out in these kinds of suits. We work together sharing equipment. The HAZMAT unit from Pittsburgh, for example, shares equipment and training. We work together so that everybody understands how to use the equipment, where it is, how to find it on the trucks. Everything is made as uniform as possible.

Medical and Criminal Intelligence. It's no accident that we have our FBI counterpart here. We are working very closely with the FBI on shared intelligence. I would never have imagined in my career as a public health person that I would be receiving bulletins from the FBI on various threat potentials within our region. We need to share that, because if I start to see disease increases and the FBI thinks that they had a credible threat on some sort of release, then maybe we can get together and talk about whether we have something here or not. Is this epidemic naturally occurring or is this some covert action?

In summary, our Region 13 plans deal with inter-governmental agreements, regional response plans, training, shared intelligence, communications systems, and joint exercises. How is this being funded? Well, one would look at that and say, "That's a ton of money." But the fact of the matter is that the funding to date hasn't gotten us too far, particularly when all of this (through the Region 13 cooperative efforts) is being directed for tangible items. No one on the Region 13 committees is being paid for his services except through his normal job. The funding has gone to tangibles that we can actually touch, we can feel, we know what it is.

Now, I'd like to spend just a few minutes refocusing on our Metropolitan Medical Response System, and some of the strengths and weaknesses of the system. MMRS has been funded by the U.S. Department of Health and Human Services. We now have over 130 cities involved in that process. Pittsburgh was identified in 1999 as a recipient. We decided early on that we were going to do this as a

regional approach, and we are one of the only areas in the United States that is addressing MMRS on a regional basis. The only other cities taking this approach are Norfolk and Richmond, VA. All of the others have apparently developed single jurisdiction, city-type initiatives for their metropolitan medical strike teams. I would contend that concept should be abandoned. What we need are response systems that can serve the widest population in the most effective, efficient manner available. We need to develop these in a very joint *regional* mutual aid approach.

Right now we have 287 individuals working on MMRS. That represents 87 separate organizations, including sixty-five hospitals in a 13 county region. We meet monthly. Obviously, not everybody can attend these meetings, but we try to schedule them for every third Thursday of the month, and we do everything by e-mail. I'm the chairman of the committee, and I made a rule very early on that I would not send an 800 page plan to anybody. If you want access, you must have access by e-mail and this has worked out very well for us. We have lots of participation, lots of individuals who contribute to the planning effort without physically having to remove themselves and attend a special meeting every Thursday.

Region 13 Plans. Here are some of the other things we have going.

Mass Immunization Programs. We haven't done mass immunization in the United States since swine flu, over 20 years ago. I want you to think about that. Every year we do flu vaccinations in Allegheny County. Sixty-five thousand people are immunized in our county alone. We do that on a planned basis. We can schedule malls and we can set up at all these facilities and we can have people that we can call out to man those facilities for a period of time.

But how do you do immunizations? How would *you* handle 50,000 immunizations tomorrow? There is not unlimited capacity in the public health system to do that. I could at anytime probably put 20 nurses on the street and

that's max. That would draw every nurse that I have, administrative and not. It isn't enough.

Pharmaceutical Caches. Supplies from the national pharmaceutical cache will not get to our doorstep for—do you guys believe 12 hours? I don't believe 12 hours. I think maybe in 24 hours, but I will have already had to do something within the first 24 hours. We have a local cache established with a regional drug distribution company. They have agreed to stockpile antibiotics for us primarily for the first 5,000 casualties to get us through the first 24 hours of an incident. I think we're the only group in the United States right now that has a local cache guaranteed to us. I can't wait 24 hours.

Mass Fatality Management. This involves dealing with coroners and medical examiners and making sure that we have a system in place to deal with the dead and the dying. Clearly, somebody has to put together the system. Once it's been contaminated or once it's been destroyed, somebody has to put it back together and say that it's safe. Nine times out of ten that will fall to either the local or state Department of Environmental Protection, or a local health department, or some other authority that has that jurisdiction to say, "It's now okay to go back".

Surveillance and Early Recognition. How do you distinguish between naturally occurring disease and covert operations? There is an incubation period. People will dissipate. They will disappear for a period of time while that incubation period goes on. It may take days or weeks before you even know that a biological terrorism event has occurred, and even then, how will you know it occurred? You better have a system designed to build the surveillance needed, and early notification system that lets people know we may have an epidemic in the works. Right now we're not very good at that in this country.

We need to organize physicians and nurse gatekeepers. Think about your own managed care system. Here's the scenario. You get sick, you go to the local pharmacy and

self-medicate for two or three days. If you get really sick during that period of time, you're going to call your HMO or some healthcare provider and they're going to say, "Well, I don't know if you need to see a physician yet." You all have been there. Take two aspirin and if you're not feeling well call me in the morning or go to the emergency department. That's managed care today, that's how it works.

If I do go to the emergency room—and if I'm lucky—the physician will know the symptoms and be able to diagnose what I've got. Currently, most physicians are not trained to understand what these cases look like. We did studies in Pittsburgh, and we only had one physician in all of the emergency room residents that could recognize smallpox. That's the fact of the matter. And that physician was only able to recognize it because she had treated victims in Pakistan.

We need to integrate laboratories. We need a pharmacy surveillance system. I need to know when over-the-counter medications spike. I need to talk to our veterinarians... West Nile virus is a good example why. When dead crows are falling out of the sky, maybe somebody ought to know something. I'd like to know what my veterinarians are saying about that. Coroners and medical examiners—do you realize the Hantavirus was found in the United States as a result of a medical examiner, not the public health system? It was a medical examiner who was able to distinguish and bring those three cases together.

The 911 services I mentioned should tie into this. A whole group of EMS regional offices out there collect information about transport systems—emergency medical transport systems. The Poison Center gets calls. They need to be linked.

Police Special Security Systems. When you go to a ball game, somebody is providing security. That could be local police or that could be a paid cop. Who's going to get sick? They may be a good indicator, because they are a fixed population. We need to know what is happening in those

security details. If a number of people become sick, it's likely that we may have some indication that the general population that attended such an event is also sickened.

USDA/FDA Food and Water Protection Issues. Currently we are working very closely with the US Department of Agriculture and the Food and Drug Administration, working with network alerts, duty officers, etc. I don't run a 24/7 operation, per se, but now there's a duty officer that will call us out if necessary. Duty officers need to be trained. They need to know what THREATCON B means, and what THREATCON A means. They need to know the special lingo that is used in law enforcement. Interoperability is more than equipment.

Notifications to Health Officials. We're focusing on syndromic surveillance. I can no longer wait for clinical diagnostic tests. I can't wait for confirmatory information. I must begin to look at syndromes and symptoms and understand that when we see certain symptoms—like widened mediastinum, unnatural hemorrhaging, etc.—it is really critical that we get called early.

It's a difficult process educating our physicians and health care system about who to report to. Disease reporting in this country stinks. One out of 10 of the reportable diseases as we know them today, are not being reported to public health authorities. How can we expect them to get on to symptomatic type reporting if they're not doing their job now?

In Allegheny County, we have a pretty good system. They know us. But we're the only local health department in the 13 county area. The others must rely upon the state agency to help them. When I go around to other counties and I ask them, "Whom do you report to, where is the number?," very few of them know. So we also educate them on the Pennsylvania Department of Health and how to deal with them.

For the first time in the 56 years of our local health department we're now talking about having a network where I can talk to the other 10 local health departments in Pennsylvania, and with the state health department. That may seem pretty unreal to you, but that's reality to us. We're not even networked with our own counterparts in our own state.

Epidemiological Information. Okay, we get a report. Now what do we do with it? Well, somebody has to do some collection of information, travel histories and the like. If you have plague and you're in southwestern Pennsylvania, somebody had better ask the question, "Where the hell did you get the plague? Where did you visit? Were you in a western part of the United States? Did you come from some foreign area in which plague is endemic? Who did you contact? How do we follow up with those contacts?" That's not your primary medical care people doing follow-up contacts. Hospitals don't want to do that. It costs a lot of money to go out and search down everybody that has been in contact with you whether it's AIDS or whether it's some other communicable or infectious disease. The local health authorities are the ones who have to go out there and find out who all those people are.

What about employment histories? You have got woolsorters' disease and you're not a veterinarian, then why do you have that anthrax? Why do you have some other disease that might be common to an employment history? And where were you the last three to five days? Those are the questions I'm going to ask you. You probably can't remember what you ate two days ago, let alone three days ago, but we're going to have to collect a lot of that information.

How do you distinguish between naturally occurring epidemics and epidemics that are covert? Unfortunately, our HIV positive population, our folks that have had transplants, and those that are undergoing chemotherapy are going to be our canaries. They're going to be the first to

die and that will be a clear indicator to us... if we know what we're looking for. Respiratory symptoms will predominate. We're going to see a lot of flu. If we see flu in the middle of July, we know we have something happening.

Mass Immunization, Mass Prophylaxis. This is an area where I think the military can help us. There are Reserve units that occupy a large proportion of our medical system today, and I'd like to know who those individuals are. And you all have training records that we'd like access to, and to at least understand what are the resources in our communities. And if we have an incident, are we going to deplete these people because you're calling them for an event and I'm calling them for an event, and they can't be in two places at the same time?

Pharmaceutical Cache. I mentioned our cache. We do have some plans locally. Clearly, one of our issues will be how to distribute and dispense this. I've got the cache, but I'm not so sure I can get it to where it's needed now. And then, that's a lot of stuff coming at me, and I don't have a clue right now what I'm going to do with it.



Figure 1-7. National Pharmaceutical Cache.

Hospital Preparedness. Hospitals are huge issues for me. They are not prepared. A mass casualty to them means to plan for 20 to 30 victims from a bus or train derailment. They're not talking hundreds or thousands of people. They need lock down procedures, mass decontamination capabilities, personal protective equipment for their staff, respiratory protection. I'm going through that now with OSHA standards to tell them what's good for them, what meets the dual purposes of infection control and WMD protection. I've got some pretty good ideas, and we've got some pretty good equipment that's out there. But somebody needs to say, "Yeah, this will work. This is realistic. This is practical." They're not going to do intubations with Level A protection. I can tell you that right now, it doesn't happen.

Pharmaceuticals, Equipment, Medical Staff and Training. Medical schools and nursing schools do not train in WMD. How do you get that training out? One way is through the National Disaster Medical System, NDMS, and we do have a very good coordination role with our NDMS through the VA center in Pittsburgh. It is a regional coordinating center. But we're not interested in transferring people out of Pittsburgh. I'm interested in whether or not we're going to be able to take patients from any one of the cities in the United States and how we'll manage that. Pittsburgh has one of the largest concentrations of medical treatment centers in the United States. It's not likely that we're going to ship people out.

Regional Incident Support and Coordination Team. We are developing a RISC team that I would look at as an expanded Disaster Medical Assistance Team. Some of you in the federal system understand DMAT. Expanded means we're going to do a lot more things with the concept.

Here's how it gets activated: generally locals call the resource because they're over extended— they can't deal with it. They're going to call one number in the region. That one number will get them started in the whole operation of bringing in all of the outside support agencies. Second, it

will activate a specialized team. That specialized team comes in and helps set up a system to deal with it under incident command—unified command systems.

The team would have these kinds of components: a medical officer, a rescue officer, fire services, HAZMAT, law enforcement, public health. That team should arrive within 45 minutes of the reported incident and begin to deal with all of the logistics necessary to bring in the resources that are needed for a specific event—especially mass casualty events. The initiating incident could be a train wreck, a terrorism act, or it could be any kind of disaster, natural or otherwise.

Behind the RISC team would come a wave of individuals who are already identified and listed. That's where we need your help. I'm looking for a group of probably 600 to 700 individuals who can fill various specific responsibilities under this massive team concept. I don't call all 600, but I know that they are available. And when I need specialized services, I say, "I need three people who can serve as medical officers." Three people because I need them on shift. The first 12 hours, 24, 36 and we rotate them in and out.

Mental Health will be a big problem. We're going to need more Valium than we're going to need antibiotics. For every one victim, we're going to have 10 that have a psychological issue behind it. This is a huge problem because the mental health capacity is not there. We need to do mental health for our responders. We need to do mental health for the community. We need to do it for all of those families, victims, and everybody that's behind this or involved in any way, shape or form.

Hospitals really struggle with this issue because they don't understand when 10 people arrive at their door, one of them needs care and nine of them are there for some sort of consolation, consulting, or hand holding. Then you got the 25 or 30 family members who are right behind them who also need all that support.

Mortuary Services. You know how many medical examiners there are in the 13 county area? My 13 counties? Uno. You know who handles these functions beyond that one guy? They're funeral directors, and they don't have a clue as to what is going on with most of this stuff. But they're the ones who are responsible for dealing with massive fatalities. At the height of the Pandemic flu epidemic of 1918, there were 3,000 people who died everyday in the City of Philadelphia. Do you think we're prepared to deal with those kinds of casualties in this country? As I said before, somebody has to put all this stuff back together and say, "Okay, now it's okay to go back in and you can go to that ballpark again."

Communications. Fortunately, we have some very sophisticated people working with us at Carnegie Mellon and elsewhere to work on communications issues. There are some military communication systems available, and the ability to network them into our system. We know we're looking at a Guard system right now that would organize the National Guard network. Carnegie Mellon developed that with Batelle Research. We're using that similar software program to organize the responders.

Military Support Needs. I mentioned mass prophylaxis and mass immunizations. I need help there. If there are Reservists out there that can do this, then we need to know who they are. How do you rapidly dispense or immunize thousands of victims in a 24 to 48-hour period? How do you develop surge capacity within the public health sector? I don't have enough nurses. I don't have enough docs. I'll grab every dentist I have, perhaps. I'll grab every EMS person I have, but if they're involved in other activities of the response, I need surge capacity.

There's also the specially trained personnel available only in the military. We have chemical brigades out there that are more than willing to jump in and help us on a chemical incident. I'll be happy to have them. Most of those commanders already have indicated to us, "Yes, we'll be

there. We'll help. We'll do whatever we can." But it would be nice if we had all the blessings necessary to make that happen. How do you decontaminate large public areas? How do you transport and dispose of contaminated waste?

Physical site security was one of the biggest problems that we had during the US Airways disaster in Pittsburgh. The military provided tremendous support to us. We could not have done it without them. Site security, setting up the temporary morgue, and serving as trackers are all manpower intensive requirements, and the military brings disciplined assets to the table that fill that bill. It was not a good duty, but there was not a civilian that could have done that kind of work. And a military base provided the perfect place to set up temporary morgue facilities.

And then there are crowd control functions. You know that I have this pharmaceutical cache, but everybody in the world is going to know that I have it, and they're going to come screaming to get theirs. I'd better have good security. I may even need logistic support to bring that by military escort from sites in another state. Our site happens to be in Wheeling, West Virginia. I need to coordinate that yet from State Police and others in that area.

The transportation function of military logistics will be very important to me...ground and air. During mass casualty events, and particularly if we have them in bad weather conditions, I'm going to need 4-wheel drive vehicles. If I have to move bodies, I'm going to need refrigerated vehicles. I may need fixed wing aircraft or helicopters to transport samples. Today I still do not have a good system to deliver a biological sample to a laboratory within hours. The military may be the only means I have to get it done.

Command and control of military assets will be important to us, but first we have to develop an awareness of what is available, and what is within reach. One of the problems that we faced when we tried to bring the military to our meetings was identifying who is out there, who is

available to assist us and what kinds of assets they possess. It's not so much that we're going to be able to tap all of those assets, but it would be nice to know what is in our own backyard. We came up with about 16 units in the 13 county area, and they are not just one service. Yet there is no one spokesperson who can deal with that as one joint command and say, "When are all of those assets going to be volunteered to us?" I'm sure they are all going to reach out. Who will organize all of you?

With regard to training, we don't do enough, period. We don't do enough exercises. And we certainly don't do them with our military counterparts. That's how we learn about assets. That's how we learn about skills.

I hope all of this can aid in your discussions. At the very least, I hope I have been able to outline some of the areas in which you can provide some support to us. This is just the beginning of what we have to think through, to develop a system that we can all work together to insure the safety of our residents. Thank you.

Discussion

How do you get hospital personnel to train for the possibility of a biological or chemical weapons attack?

The nation's hospital system today is faced with cost containment structures that keep personnel working long hours with little time for training on emergency response and public health issues. Additionally, high personnel turnover among both management and clinical staff make such training difficult if not unproductive. One potentially successful technique to advance hospital preparedness for bio-terrorism has been to emphasize training of Infection Control Personnel; these personnel typically turn over more slowly among hospital staff.

Hospitals need some assurance that they will be reimbursed for their contribution in a disaster response. First responders are eligible for certain reimbursement through FEMA, but hospitals haven't had the same guarantee from public health agencies. Additionally, hospitals no longer maintain extensive inventories of pharmaceuticals or supplies; cost containment has driven the provider community to rely on just-in-time inventory practices. Thus, well-planned and located national pharmaceutical caches have become essential to dealing with mass casualties and pandemic.

Hospital involvement in training for emergency response to chemical and biological weapons attack varies widely and primarily with hospital location. In general, those hospitals where the perception of the potential for natural disaster or terrorist incident is greatest are most involved. These are invariably hospitals in large metropolitan areas with infrastructure targets or in areas of recurring floods, tornados, and coastal storms. Hospitals in areas that don't perceive such threats and hazards may be far less prepared to respond to WMD attacks or incidents.

At what level do hospitals collaborate with you, and how is their planning working such that you have any level of comfort that the organization itself is fully dedicated to cooperating with the public health service?

Hospitals vary in size and ownership and serve different roles within their communities. They don't all have the same incentive to cooperate with public health services. Since membership in hospital councils and medical societies is voluntary, in some regions the only common umbrella organization is the state licensing agency. Regional public health organizations can help attract interest and cooperation from health care providers, if they offer a benefit in return. When a regional coordinator can offer training, equipment, access to the pharmaceutical cache—as well as standard operating plans—it provides leverage to encourage cooperation from otherwise disinterested hospitals.

The Metropolitan Medical Response System (MMRS) is a five-year-old federal Health and Human Services program established to coordinate medical responses to chemical and biological incidents in major metropolitan areas. MMRS has become one forum for hospital cooperation in those areas.

Additionally, the Joint Commission on Accreditation of Healthcare Organizations has updated its emergency management standard in 2001. This standard requires hospitals to develop an emergency response plan and to integrate the organization's role with community wide emergency response agencies. This requirement to address emergency management as part of the accreditation process should help pull more hospitals into cooperative organizations.

How do you prepare and plan for the involvement of the press in consequence management?

Regional and state emergency management agencies routinely involve the press in their exercises and employ their own public information officers to reach out to editorial

staff and reporters during training, as well as during actual incidents. One significant challenge to the public health community is to plan, develop, and communicate medically approved fact sheets that reflect the situation as well as current treatment protocols appropriate for the hazard at hand. This process is dependent upon evolving events and epidemiology and requires deliberate medical judgment, accurate preparation of information and timely dissemination throughout the health care community.

There is a vast difference between providing pertinent health information to the public and satiating the press during a crisis. Basic health information that raises public awareness of infection control procedures has the potential to prevent infection or reduce the spread of contagion. The public needs to be re-educated on how to cough properly and how to sanitize dishes or common areas of their homes. This basic public health information must be ready to go before an incident, reviewed immediately when the incident occurs, and then communicated factually and in a timely manner to the general public.

How adequate is the federal response plan in dealing with the full spectrum of emergencies?

The planning process is more important than the plan itself. At all levels the process causes organizations to understand their roles and responsibilities and to identify which other organizations are supported or provide support. If the planning process enables understanding of the incident command structures, identifies the technical operators, and requires people to understand their own capabilities, the eventual response to the incident has a good chance of succeeding. Technical planning and training requires a lot more work, effort and resources.

How much do local, regional and state authorities depend on local military facilities and units in their planning for emergency response? Are we relying too much on these forces if in fact they may not be available at the time of the emergency?

The regional emergency responders and public health agencies train and exercise with local reserve and active military forces but do not rely heavily upon the military's general purpose forces for local support. They recognize that the military is not the first responder and only serves in a supporting role if required and requested. Specialized units like the National Guard's WMD Civil Support Teams are likely to be included in local and regional plans.

Chapter II

Panel 2 – The Evolving Policy – Words from the Commissions

Introduction.

This panel addressed the evolution of Homeland Security policy. The first two presenters, Mr. Mike Vermuth (now with the RAND Corporation) and Mr. Frank Hoffman (now with the Marine Corps Warfighting Laboratory) reviewed the findings and recommendations of two contemporary national commissions:

1. The Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction. (*The Gilmore Commission*).

2. U.S. Commission on National Security/21st Century (*The Hart-Rudman Commission*)

The findings and recommendations of these commissions have, to date, been among the most influential elements in framing the debate surrounding Homeland Security, and have made significant contributions in evolving policy and legislation.

The third panel member was Mr. Raymond Decker, Director of the Defense Capabilities and Management Division of the General Accounting Office. Calling upon the many studies dedicated to Homeland Defense that have been produced by GAO, Mr. Decker's presentation concluded that the evolving policy for Homeland Security would develop around four pillars: Threat, Leadership, Strategy and Action.

**Mr. Michael Wermuth
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As a number of you know, on the May 10, 2001, right in the middle of some Senate hearings the President issued a statement that did a couple of things. It authorized FEMA to organize a new effort that's called the Office of National Preparedness. At the same time it asked the Vice President to undertake a review of issues related to how well prepared we are as a nation. In particular, how well prepared we are domestically to deal with incidents of weapons of mass destruction.

On the May 24, 2001, I had the pleasure of accompanying the Chairman and Vice Chairman of the Gilmore Commission to a briefing with the Vice President and his senior staff on the work of the Commission. What you're going to hear in the next few minutes is essentially that briefing. We all refer to it as the Gilmore Commission now, but if you're really interested in the official name, it is The Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction.

First of all, the legislative mandate created at Curt Weldon's behest and at the FY1999 Defense Authorization Act Section 1405 directed this panel to assess the efforts of federal agencies in programs designed to assist state and local response entities in preparedness for response to terrorism from weapons of mass destruction. It looked at several federal programs started in the areas of training equipment and several others. It determined and assessed deficiencies in a lot of those programs, including unfounded requirements that have always been recognized by the Congress. It also got very specific and looked particularly at the needs of maritime regions and then came back to us—in effect, to the President and the Congress—in three different reports. The commission's reports are also addressing whether the funding balance is right, whether there are

some things that the federal government ought to do differently, and what we should consider to be the appropriate mix for federal and local funding for some required capabilities.

We believe that the Gilmore Commission is somewhat unique among groups who have looked at the issues. There have been a number of them. There's the National Security 21st Century, also known as the Hart/Rudman Commission. The Proliferation Commission that was headed by John Deutsch got into this a few years back. Jerry Bremer headed the National Commission on Terrorism and they considered some aspects of it. But in each of those cases, those commissions were essentially composed, if you will, of people from inside the beltway. This particular panel is different materially from that standpoint.

First of all, it has a sitting Governor, which is very unusual for any kind of federal commission. Governor Jim Gilmore of Virginia who had raised his own profile nationally on the issue on terrorism (I should point out that there were no politics involved in the commission. Gilmore was chosen by the prior administration—at least by senior cabinet officials in that administration—to head this panel).

We had a number of people who are experts in various areas, including some federal people. Jack Morris is a former Secretary of the Army. Jim Clapper is former head of the Defense Intelligence Agency. Jerry Bremer himself sits on our commission; he's the former ambassador-at-large for counter-terrorism at the Department of State. We had a couple of retired senior military officers in addition to Jim Clapper.

Most importantly we had people from the disciplines, the responder disciplines, at the state and local level, including the Chief of a Volunteer Fire Department from Pennsylvania, I might add. The head of Special Operations for a major city fire department—the City of New York, an emergency medical services technician, the city manager of a medium-sized city, the Emergency Management

Directors of three states (California, Iowa and Indiana), and a state epidemiologist. It was a unique panel from the standpoint that we brought together people from all across the country in all of the major disciplines because it was viewed as important by the appointing authorities. Washington, they knew didn't have all of the answers. And they reasoned that perhaps the best way to discern some of the best solutions to the problems was to go out and talk to the experts from the field, and to have them engaged with the people who knew how Washington runs, or have at least have been involved with how it runs, whether they know how it runs or not! So that was the uniqueness of this panel—nineteen great Americans.

As I mentioned there were three reports. Two of them have been delivered, the first on December 15, 1999, the second on the same date in 2000, and we are in the middle of compiling the third report, which will be delivered in December of this year. Then the panel by virtue of the legislative requirements goes out of business.

We have had numerous briefings. RAND is the federally funded research and development center providing support to the panel, so we have done numerous assessments for the panel. We have had a number of people appear before the panel as experts to provide public comment to the panel in a number of different contexts. We have had numerous discussions within not only the federal agency, but also with state and local agencies. We have had consistent contact with the congressional committees who have had responsibility for the issues. I've seen most of the folks who are here representing congressional offices on many occasions and some who are not here. Of course, within the panel we have had deliberate and some times very pointed debate about some of these matters that we'll talk about.

Let me start by offering a few general observations that help set the context from which the panel has conducted its deliberations and been led to certain conclusions and findings. It was clearly this panel's perspective that all

terrorist attacks really are local. At least they're going to start that way. The panel also believed that if an attack really is one of magnitude, it is likely to be beyond the capability of any single municipality or any single local jurisdiction or authority to handle it. The city that we consider the Cadillac of cities that has probably put more thought and resources in time and training and exercise into this is the City of New York which readily admits that if the situation gets large enough, (and they tend to use the baseline 100 fatalities as that benchmark), that they're going to have to have assistance from the outside.

We take the approach of looking at it from the bottom up with the view of those that will provide the first, and perhaps only response, depending on the level of the incidents. So we look at this from the bottom up. It has been a fundamental premise of the panel that we don't need to reinvent the wheel for combating terrorism...that we can build on existing systems that are already there in developing "all-hazards" capabilities for whatever the incident happens to be, whether it is natural or manmade.

FEMA enjoys a good reputation at the state and local level, and we put that before the Vice President, because we used it as a point of leverage to get to some of the other issues that I will talk about in a few minutes. FEMA does good things. They do some things very well. But they can't do everything.

We recognized, and explained in some detail to the Vice President, the concern about the federal government coming in and "taking charge." That applies with particular weight to both the FBI and the military. We told the Vice President that in our view, we really don't need a lot of new legal authority. There is plenty of legal authority in place with the exception of perhaps some structural changes and some incentives to help this process along. It was our consistent view that, at the federal level, we did not believe a single cabinet department or an existing federal agency such as FEMA can ever be put in a position to effectively

supervise the efforts of the other federal departments and agencies... that when an event occurs, there will be a number of federal agencies that will have responsibilities... and that under a well-constructed and well-coordinated and well-understood lead agency concept, we believe the system can work even though there may be multiple agencies involved.

This panel does not like the terms crisis management and consequence management. We think they're simply not descriptive of the functions that we're trying to describe. We prefer to describe things in a continuum, from pre-event, through trans-event (meaning during the time that the event is occurring), and then concluding with post-event. There are any number of functional entities—law enforcement, public health, fire services, emergency medical services, medical emergency management and the like—that essentially will start from the local level and perhaps work up to the state level if the event is large enough. Eventually, if it really is significant enough (perhaps if it crosses state lines) the response will require assistance from the federal level.

There is no nice, neat little line that we have been able to draw between crisis management and consequence management. These are functions to be performed. You can't put things necessarily into neat boxes. If you take that approach, we think it leads to some conclusions about how you structure yourself, how you organize and how you coordinate all this that may be different than the approaches that the federal government has had to this point.

In our first report, we spent a lot of time assessing what the panel requested that we do, as well as the current state of threats from terrorism (plural). The panel didn't feel like it could do a credible job of addressing this issue unless it had some baseline. At that point in time, and even to this day, there is no single source analysis that has been done at the federal level that looks at threats from terrorism across

the spectrum. There is some done in the foreign context. There is little done in the domestic context. There is no national intelligence estimate for terrorism that covers the broad spectrum.

Everybody has heard it's not a question of "if but when." But it's also a question of "what and where." We want to always be able to count on intelligence to tell us it's coming. We have to look at the full spectrum of threats. We have to find a way to do a better job of assessing threats and providing that information to everyone who needs it all the way down to the local level. The importance of that from our standpoint is that it is necessary to help policy makers make some determinations about the allocation of resources, where the priority of their efforts are, and the way they train, organize and will actually respond. More importantly, the evolving nature of the threats at any given point in time may indicate the differences between the federal effort and the efforts of state and local agencies.

I have already mentioned that we didn't like the terms crisis and consequence management. By the way, we don't even like part of our name. We believe that weapons of mass destruction is, again, not an adequate description of what we're talking about. We approach this by describing in detail exactly what it is we're talking about at any point in time. CBRNE—Chemical, biological, radiological, nuclear, conventional explosives and, by the way, cyber. Is the release of any biological agent a weapon of mass destruction? It could be, but is it? Why do we need to grope with definitions and terminology that may not be precise? We think it's better to say exactly what it is that you're talking about.

<i>First Report: Assessing the Threat</i> <u>Threat Assessment Summary</u>		
Weapon	Effect	Likelihood
Nuclear Major Chemical Major Biological Widespread Radiological	1000s/10000s of casualties Significant destruction	Lower Probability
Conventional Small-Scale Biological Small-Scale Chemical Cyber	Dozens of casualties Light-Medium destruction	Higher Probability

Figure 2-1.

This is a very brief encapsulation of a rather exhaustive threat assessment in that first report. Basically, it lays out the potential weapons groups that might be used by terrorists on the left-hand side, and the potential effect and likelihood in the center and on the right. Again we found ourselves groping with terminology—this time with the term “mass casualty.” What is mass casualty? Nobody has a very good definition for that. CDC uses 1000 or more, and they admit it’s just for planning purposes. We simply shied away from those terms and talked about casualties in the thousands or tens of thousands, as compared to casualties in the dozens. We basically said the kinds of effects in the thousands and tens of thousands are the lower probability than what we believe will continue to be a preference for conventional weapons and perhaps eventually sliding over into the use of a smaller scale chemical or biological weapon. And certainly the cyber threat is always a possibility, and becoming a high probability, which is why we put it in that category.

Having said that, none of this can be ignored. There is none of it that you can take off the table. But again, the way

you focus on the higher probability events has a lot to do with the way you structure programs. Frankly, it is the view of this panel of experts that if you can prepare for the higher probability event, the more likely you will be able to handle the more catastrophic event—even though it may be of a lower probability—if and when it occurs.

In the second report, we went into considerable detail about what we believed the problems were. First and foremost—and fundamental to addressing the entire process—is the fact that we do not have a comprehensive national strategy that describes where we should be going. When we start the process of putting together a strategy, it will need to be informed by everyone who has a piece to play, but I'll talk a little more about the strategy issue later.

Nobody in the Executive Branch is really accountable and responsible for making all of this work. We can discuss whether the inter-agency working group process has been effective or not. It has done some good things, but it simply does not have all of the characteristics that this panel believes is essential to pull all of it together.

You will see that in our report—after criticizing the Executive Branch—we turn the cannon the other way on Pennsylvania Avenue and fired a shot at Congress. I'll talk a little bit more about where we think the problems and potential solutions are there.

The Executive Branch needs to do two things: (1) Get a national strategy together and (2) Organize better to address the issue. I keep saying *national* strategy. It's not a *federal* strategy. It's got to be national in scope. It's got to be built, in our view, from the bottom up. It's got to include every aspect of this, not just pieces of it. It shouldn't be devoted to bio-terrorism, for example. It ought to look at everything from the front-end deterrence all the way through prevention, preparedness and all response aspects including recovery and mitigation. It ought to look at domestic and foreign threats and be very comprehensive from all of those aspects. From a domestic perspective, it's

got to be coordinated with and inform the state and local agencies and entities that have pieces for this as partners, not as afterthoughts. That's what we referred to in our briefing to the Vice President as a vertical perspective. Then it has to go across all functional domains... all of the various entities, all the way down to coroners and medical examiners that need to be included in this process.

Once we develop such a strategy, we need to come up with some way of measuring how well we're implementing it; some form of metrics that can say, "If this is where we want to be, how do we measure how well we're doing in getting there?"

We made a very specific recommendation about how the federal government should organize to address this problem. You're going to hear another perspective in a few minutes from Frank Hoffman. There are a couple more out there that had been discussed, but we put a name on ours: "The National Office for Combating Terrorism." The name really isn't important. It just happened to be the one that we picked, but we designated some attributes that we thought were important.

We believe for accountability purposes that the office has to be headed by someone of high stature, appointed by the President, confirmed by the Senate. We believe, for reasons that I will discuss, that it needs to be located in the Executive Office of the President. I already mentioned that we didn't think that a single agency could be responsible for telling other agencies what to do. This alleviates that problem by putting it above the various turf issues and parochialism that exists among federal agencies. It ought to be the principal point of contact with the Congress. There needs to be a single voice talking on behalf of the Executive Branch with the various authorizing oversight, budgeting and appropriating entities in Congress.

This office should be the one responsible for drafting the national strategy. It won't have a single agency focus, and it won't have a federal focus—federal, state and local entities

will provide it information. We believe very clearly that there has to be some authority in this entity to have specific oversight and control of certain federal programs and budgets. We believe that built within it should be representatives from state and local response entities. We named some specific assistant directives that we thought were important in terms of titles.

The head of the office will not be a “terrorism czar.” This office should *not* be vested with operational control. The individual federal agencies, and more particularly, the state and local entities that will provide the response, have that authority, and should retain it. This entity, in our view, is a pre-event coordinating and oversight mechanism, with some authority to make things happen in conjunction with the state and local entities that are involved.

We considered what we thought were at least the list of major alternatives to something in the Executive Office, including leaving things the way they are, and we quickly dismissed that because we didn’t think it worked.

There has been a proposal in Congress that there be a special new Deputy Attorney General created. Not bad perhaps in concept, but in our view unworkable because it’s embedded within a single agency; and regardless of how hard you might try, there would be turf issues, and parochial issues, and questions of fairness about how the programs get implemented and where the emphasis is.

There have been suggestions toward an enhanced FEMA... what our Vice Chairman has called FEMA on steroids. You’ll hear a little bit about a view of an enhanced FEMA later, but again for all the reasons that we have said, we don’t believe that a single agency can be responsible.

We considered and dismissed very quickly the Department of Defense being in charge, and you’ll hear why in a few minutes.

A stand-alone advisory council is a piece of some of the legislation that has moved through the Congress. Again, we

believe that without a very senior person appointed by the President, confirmed by the Senate, and with a robust staff—that a part-time advisory council isn't the answer either.

We said to the Congress, “You guys aren't organized to handle this either. You have all these stovepipe committees that are looking at pieces of this. You're all out there creating programs, providing funds and appropriations, without corresponding authorization to back them up.” We suggested (recognizing that it was probably going to be the hardest suggestion that we made) that Congress needed a special committee to look at these issues and try to develop a consolidated approach to the authorizing, oversight, budget and appropriations process. Not unexpectedly, the Congress didn't snap up on that right away and enact it; however, there are some things that are under way. Working groups in both Houses of the Congress are starting to look at the process. Hopefully some cross-fertilization among the various committees of the Congress is underway: some of that has started on the Senate side with joint hearings, and on the House side with the Speaker's working group, and some joint hearings as well. Maybe some of this process will unfold within a special committee. We believe that the special committee is the right approach because it's the quickest, and we think it can be done without necessarily stepping on the jurisdictional toes of the various committee chairmen.

We made specific recommendations in a number of functional categories. I'm not going to go through all of these in detail, but I want to highlight a few.

First of all, we feel very strongly that we need to find a better way for providing information—even classified information if necessary—to certain people at the state and local level. We share enormous amounts of national security classified information with our NATO allies and others in the world. We don't think it's too much to ask that we share some of that with some governors and perhaps some police

chiefs and others at the state and local level. We ought to be able to find a way to do that, and to provide a better means of communicating through some type of information sharing network that can be protected through a system of registered users.

We mentioned several specific intelligence enhancements that we believe could improve the federal government's effectiveness in combating terrorism. We have a very specific recommendation about a consolidated entity for intelligence within the Executive Office of the President that we proposed would provide some fusion of intelligence, both from national security sources and from law enforcement sources.

We talked a lot about how we might do better planning and coordination. We had a little bit of a discussion this morning about the federal response plan and whether that was good or bad or inclusive or not. The recommendation from this panel was that we should designate the federal response plan as the single-source planning document, recognizing that it's only a planning document. It's not an answer to everything. But we should not put state and local response entities in the position of having to determine for themselves where to go to find out who is responsible for what. That doesn't mean that FEMA would be in charge of all this. It simply means that FEMA would be the librarian, if you will.

Currently, the Contingency Plan (the U.S. Government Interagency Domestic Terrorism Concept of Operations Plan) is not technically part of the Federal Response Plan. It says that it was written in consonance with the FRP, but in our view it ought to be an annex to it. The idea here is for whoever is responsible for the plan—the FBI, DOE, the EPA, whoever—will construct it in a familiar format and then have it incorporated into that single source document.

We talked at great length about how the federal government ought to help promote regional entities. We ought to promote best practices of the type that you heard

from the State of Maryland. There are a few others, but only a precious few who have put a lot of thought into this. I have mentioned New York. The Los Angeles Operational Area has done a great job of bringing the other multiple jurisdictions into a single terrorism- working group. This is a model that other parts of the nation could adopt.

We spent a great deal of time discussing the efficacy of standardized incident command and unified command system as part of an effective response. If people are going to come in as mutual assistance to a jurisdiction that has been hit by a terrorist attack, the better we have standardized systems that are familiar to everyone, the better off we think we will be.

One recurring recommendation we have made is that the President never designate the Department of Defense as the lead federal agency for any one of these emergency responses. Even though a civilian Secretary of Defense heads the Department, that fact may get lost on the vast majority of American citizens in the midst of what may look like a military response. We believe that the military ought to always be under very clear and very strict civilian control.

We made some recommendations on training and on equipment. We need to provide better training opportunities and invest in developing better training programs. Once again, we took the approach that while the Nunn-Lugar-Domenici initiative was somewhat effective, it could have been a lot more effective if we had gone out and talked to the training audience before the program was implemented, and decided what they needed before that 120 city training program was put into place. One size does not fit all. We need to tailor training programs to help meet the needs of state and local response entities. We need more exercises, better exercises. You'll see a careful critique of the TOPOFF exercise contained as an appendix to this report and some of the problems that we found as observers in that exercise.

We addressed health and medical capabilities. We spent a lot of time on the second report in these areas. We're going to spend a lot more time in the third report talking about the importance of a robust public health system—how we ought to do things to improve it. You've heard some discussion about it this morning. We had it in the second report. We will have even more detailed recommendations in the next report about what kind of certification programs we need, what kind of continuing education we think we need in the health and medical professions, and ways that the federal government can help provide incentives to further that process.

It is clear we need to do a better job of clarifying exactly who has authority for what. The word "quarantine" comes to mind. Mandatory vaccinations, containment operations. Who does all of that if something really gets out of hand? We haven't done a very good job of explaining to ourselves and to those who are involved in these efforts, much less to the American people, who the authorities are and what their responsibilities are.

We talked about stockpiles and testing the plans that get put into place. We talked about getting better standards for all kinds of things—from laboratories and the way they do testing and protocol, to surveillance and reporting across the spectrum. Again, the details in the report are intended to provide some of those highlights. For every one of these (and more), however, you're going to see additional recommendations in the third report.

We talked about the joint commission on the accreditation of health care organization standards. We believe it's an important first step. It may not go far enough, but it needs to be implemented. The American Medical Association came out with some very specific recommendations in January of this year about how to pull all this together from a coordination standpoint that we also heartily approve, and will talk about them in our third report.

We examined research and development. This is not something we can expect state and local entities to do because it is much too expensive. This is clearly one of those things that is strictly in the federal domain. But we need to develop plans for both near-term and long-term research that are informed by the needs of the people across America. We believe there are good ways to pull all of that together. Some of that is starting to be done now with better cooperation between the National Institutes of Health, the CDC's National Institute for Occupational Safety and Health, and with a new national lab that has already been started within the existing national labs. There are some good efforts underway. We'll talk about that some more in our final report.

We started into the issue of cyber terrorism last year, suggesting that there are a number of things in that realm that should be looked at. We should begin by looking at the way the government is organized, its standards, and how it handles alert warnings and responses. We need to identify major stumbling blocks from the standpoint of liability of the private sector's involvement in all of this and other legal issues. Likewise, there are enormous overriding civil rights and civil liberties considerations in the cyber realm that will have to be examined. In the third report, in addition to going back and scoring where we are on all of the recommendations that we made in the second report, we're going to spend a great deal of time on the cyber issue.

We are going to answer the mail to the Congress on addressing the needs of maritime regions, but we're going to take it one step further. We're going to look at all issues involving the border, land border, points of entry, airports of entry as well as the maritime regions, and see how all of that is working or, really more realistically, not working very well right now. Much more needs to be done.

We're going to get into some specific details in our review of the role of the National Guard and the other reserve components for using the military domestically. We need to

look at what we think the Department of Defense itself should be organizing better for the mission. They are starting to organize better as you may know if you are familiar with what's going on with the appointment of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict as the Department of Defense Coordinator. This came about as a result, by the way, of specific Congressional direction.

We spend a great deal more time on health and medical in the third report. We've already addressed agricultural terrorism previously, but we'll address it even more.

Then, of course, we'll tie everything back to where the mandate was in the first place, by examining how well the federal government is doing in helping the folks at the state and local level who are responding.

We are just now bringing out of the field the first major national survey that has ever been conducted on this issue. In fact it's 10 surveys in 1, designed to be so due to the various disciplines involved. We have sent surveys to 18,000 people nationwide. We are surveying all of the states and territories at the state level for their emergency management directorates, their public health entities and, for those that have them, state emergency medical services entities. We selected 200 counties for the surveys, not entirely but fundamentally at random, weighted a little bit more toward more populous counties... but we got a good spectrum of counties all over the United States.

The response rate on this survey is phenomenal. We're already up over 70% returns. It will go into considerable detail about how response entities look at this whole issue, and how particularly they view the effectiveness, or lack thereof, of federal programs. You got a little piece of it this morning. When this survey is out, you'll get a very clear picture of how we think the nation looks at this entire effort—both their own levels of preparedness and what the federal government is doing that is helpful, and not so helpful.

The following chart (Figure 2-2) simply compares our work with the aspects of three of the bills that have been introduced on the House side. We are still waiting for something on the Senate side, but we understand there is probably something in the offing. Then we'll be able to take a look across the spectrum and see how all these pieces fit together. We have listed some attributes we think should be examined, and then addressed whether the legislation that has been introduced was, in our view, adequate to address those requirements.

COMPARISON OF HR 1292, HR 525, AND HR 1158 WITH RECOMMENDATIONS OF THE ADVISORY PANEL TO ASSESS DOMESTIC RESPONSIBILITIES FOR TERRORISM INVOLVING WEAPONS OF MASS DESTRUCTION ("Gilmore Commission")					
	HR 1292 (Skelton)	HR 525 (Gilchrest)	HR 1158 (Thornberry)	Gilmore	Comments/Issues
National Strategy	X ¹	X ²	X ³	X ⁴	1. Covers terrorism and nation-state. Domestic Only. 2. Domestic terrorism only; not international 3. Recognizes need, but does not place responsibility/identify essential elements 4. Comprehensive; domestic and international, full range of threats
Program Oversight	X ⁵	X	X ⁶	X ⁷	5. Single person "responsible," no definition of duties 6. Only internal. "Planning guidance" to other agencies. Unnecessarily moves some (USCS, USCG, USBP) but not all related agencies (e.g., FBI) to new structure
Budget Authority		X ⁸		X ⁹	7. Full budget certification/decertification authority
Political Accountability	X ¹⁰	X	X(-) ¹¹	X	8. Cabinet-level but only for limited agency assets
Intelligence Functions	X ¹²	X ¹³	X	X ¹⁴	
Plans Review				X	Entity must have authority and process for reviewing State and local plans for integrated response
RDT&E Standards				X	Direct oversight of RDT&E and standards are required
Clearinghouse		X ¹⁵		X ¹⁶	"One-stop shop" is need for all Federal, State, and local agencies
Multidisciplinary Staffing		X		X	All Federal agencies, plus State and local disciplines, must be represented
Advisory Boards		X		X ¹⁷	Advisory boards for State and local input and for intelligence coordination are essential
Senior Official Location	Unknown	Executive Office of the President	Homeland Security Agency (Enhanced FEMA)	Executive Office of the President	Senior official needs to be independent of single agency "turf" and parochialism, and have broad, unbiased view of all related programs. Official seen as having too much law enforcement focus may impede cooperation and coordination.
Operational Control (Y/N)	Unknown	No	Yes ¹⁸	No	9. Only direct control of those subagencies within its structure. Does not have broad operational control over other agencies.
RAND The Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction					

Figure 2-2. Comparing Current Legislation to the Gilmore Commission's Recommendations.

Mr. Frank Hoffman
Former Study Group Member
U.S. Commission on National
Security/21st Century

It's an honor to be here. I'd like to thank the Army War College for hosting this. I'd also like to thank CSIS and Frank Cilluffo explicitly. The Hart-Rudman Commission had a busy time conducting its comprehensive overall review of national security. We got a lot of help from Frank Cilluffo and from CSIS over the course of our three years in activity. I'd like to publicly and gratefully acknowledge that support.

I've got to admit that I was somewhat hesitant to come here today. I understand that consequence management is a mission of direct interest to the military community. I applaud the effort that the Defense Department, the Joint Staff, Joint Forces Command and the Army's Total Force Community have put into that problem. But the challenges posed by globalization and our future security environment require a broader strategic orientation, more than just dealing with a disaster after it occurs. It also involves a lot of agencies beyond just the Defense Department. So I'm going to try to put the Hart-Rudman Commission's recommendations in a broader context.

This slide (Figure 2-3) is a conceptual slide about homeland security and tries to capture the pieces, the missions and the things that the government does. I've tried to include a definition because there are people on the Joint Staff who like definitions. My bosses liked definitions, too. There are in essence three dimensions to the problem. There are domestic security missions. There are military missions that are valid Defense Department missions that fit within the concept of homeland security. And there is even an



Figure 2-3. Defining Homeland Security.

international dimension of intelligence, nonproliferation, arms control and threat reduction.

It's not a perfect conceptualization, and the definition is not a perfect definition. In fact, some think we should probably jump up right now and say, "Jeez, the international dimension could include consequence management, too." True. It would probably be part of a national security strategy and would probably be a valuable part of our foreign policy. It just doesn't fit into my definition of homeland security.

One of the points that I'm trying to make with this distinction is that we are trying to find all of the missions—think about things comprehensively and holistically—and not just get into little funnel holes—terrorism or cyber or cyber terrorism. That's why we want to think about these three dimensions.

The commission worked over a three-year period of time, and we developed three products. The first was a threat assessment, which we put out in 1999, called *New World Coming*. This is the Commissioners' view of the world. The

staff wrote the big thick document and the Commissioners said, “That’s really nice. Let’s not argue.” They came up here to Carlisle with General Scales for a few days and kind of wrote their worldview from the staff perspective. Those of you who are staffers will understand that. The bosses think somewhat differently.

In Phase Two we spent the better part of eight months trying to put together a strategy. Again, you can tell that the Commissioners wrote this document because it’s a very thin strategy. It’s a good strategy, but it’s their strategy.

Then again, in Phase Three this year, we published our view of the processes and the structures of the federal government to see if it can execute the proposed strategy. In certain areas—the National Security Council, the United States Congress, the Department of Defense, the State Department, and for some functions within homeland security—the Commissioners concluded that it could not.

I’m not going to use up a lot of time on the threat assessment. In short, the Commissioner’s Phase One analysis foresaw homeland security as the problem over the next 25 years, and one that will get continually worse. They took a dark view of the world, and they were extremely pessimistic. They’re part of the “not if, but when” crowd, and they think it will be sooner, rather than later. It will be severe, it will be violent and it will be catastrophic.

The first judgment in Phase One paints this stark picture. The Commissioners concluded that America will become increasingly vulnerable to hostile attack on our homeland, and our military superiority will not entirely protect us. Why is this so? The Commissioners anticipate the continued proliferation of weapons of mass destruction and disruption in both terms of WMD and in the cyber dimension. This is a world in which deterrence and non-proliferation are still very desirable, but they’re far less useful as competitive strategies for our long term.

The combination of both means and will is going to present new dangers to the world community, especially the United States. “Nations, states, terrorists and other disaffected groups will acquire weapons of mass destruction and disruption and some will use them.” Once again the bottom line from the Commissioners, who wrote this sentence themselves, “Americans will likely die on American soil, possibly in large numbers.” And their second conclusion is really related to the first: It’s rapid advances in information and biotechnology that are going to create new vulnerabilities for U.S. security.

Governments and groups hostile to the United States are going to gain access to advanced technologies thanks to globalization and the diffusion that it proliferates and abets. These hostile groups are going to seek to counter our military advantages through the possession of these technologies and their actual use, in both traditional and unconventional attacks. Moreover, as our society becomes further dependent on knowledge-based technologies and network systems, we’re going to find new vulnerabilities. The potential cascading effects of such attacks are not entirely known today, and may not be knowable.

A new and integrated approach to deterrence would improve protection and response mechanisms. This is necessary to correct the impressions that currently exist in our adversaries’ minds that it’s easier to get bad things into this country by way of bad people, and that it is easy to achieve disorder and mayhem.

Very early on, the Commissioners noted that the integrating functions of policymaking—pulling together the Defense, State Department and public health communities and being able to integrate in a coherent fashion, state, local and federal capacities—is going to present challenges never addressed before. Merely improving the inter-agency process around the present structure might not suffice.

Finally, the Commissioners knew upfront that they were going to have to enhance the civilian aspects of homeland security, and not just focus on military functions.

Let me try to make some distinctions between the several commissions that have been out there. There are a lot of ideas out there. If you look at the commissions, I think you will find a lot of common points: the need for a strategy; the need for a focused budget; the lack of a focal point to accomplish certain functions; the problems in congressional oversight; the required investments in intelligence and medical concerns. I think you can go on to build quite a list. The emphasis on a national incident response system was picked up from the Gilmore Commission, as well as the interest in civil liberties. We agree explicitly with the Gilmore Commission on the role of the Department of Defense.

But let's continue and try to focus a little bit on the distinctions, and see if I can keep you all awake. In our Phase 3 effort we turn to organizations through structures and their processes. Based on what I think is an exhaustive study of the existing federal government conducted by Booz-Allen (for a humongous fee) over the course of the first two phases of our study, we came to some definitive conclusions about homeland security and the existing government structure.

First, the Commission concludes that our government has not adopted homeland security as a primary national security mission. Yes, we have some nice major speeches. We have a few PDD's and we have spent some money and we have made some progress. But we don't have a high priority program integrated within an overall strategy. The President must develop such a comprehensive and integrated strategy to this end. They must develop the means to implement it. I refer to this as the "strategic integration problem." Somebody has to be able to pull together a comprehensive strategy. You have to have a budget process that lays out in some visible terms, the

inputs and outputs that you are trying to see. We need a strategy with priorities, and then need to identify objectives with metrics to measure progress. That's something we don't have today.

Second, we identify what I call at the operational level (for the military people in the room) a "lack of operational coherence." The NSC in itself can work the strategy, and an office in the Office of the President, I think, could do just as well. But someone has to have operational control of events and the chaos that exists out in the field in the event of a major incident. It doesn't have to take charge... it doesn't have to arrive with a deluge of federal bureaucrats, lawyers, FBI agents or military people in combat fatigues. But we do need to pull together a strategy for the operational level of the problem. The lack of operational coherence that exists today is due to lack of identified people in charge, vested with the sufficient authorities, accountabilities and responsibilities. You need a strategy... you do need a strategic focal point... but you also might need an operational focal point in certain specific areas. It doesn't all have to be done by a single agency. The current prevention and response mechanisms are both highly fragmented and inadequate. Thus, the Commission concluded that the United States was poorly organized to implement any comprehensive strategy that would protect the homeland – especially in the domestic security side of the government.

The Hart-Rudman commission made in essence four major recommendations. The first was to develop the comprehensive strategy. This was a mission we wanted the National Security Council and the National Security staff to pick up. We had some views about what the role of the NSC should be. If you want a level of acceptance of the strategy, acceptance of the President's objectives, and the potential of matching means to desired ends, we'd like to see that done with the NSC. We spent a lot of time looking at the council, and one entire chapter of our report is about the NSC.

Hart-Rudman Commission Recommendations:

- Develop a comprehensive strategy to prevent, protect, and respond to attacks on the American homeland
- Create a National Homeland Security Agency
- Enhance capabilities of federal, state/local players
- Ensure effective Congressional oversight

Figure 2-4. Hart-Rudman Recommendations.

The model that the Commissioners put out is very similar to several other models, and is in essence the National Security Council that the folks from the former Bush Administration would find familiar (the Scowcroft model, if you will). This is the sort of thing that Dr. Rice is trying to implement right now— an NSC staff that is less operationally focused, and more focused on assisting the President and NSC in pulling together the strategy, and gaining the consensus among the major departments. That was our chapter on the NSC and I encourage everyone here to read it. It was one of the major efforts in our report and one of the topics we've been out several times to brief Dr. Rice on.

We also propose this National Homeland Security Agency. I hate the name. Not what I proposed. I think it connotes the wrong thing and I think that's why some people have misunderstood it, unless they are deliberately misunderstanding it. But, I'll spend a lot of time in my brief talk about what it is and what it is not.

In the third recommendation we make some comments about enhancing capabilities of federal, state and local players, intelligence, the medical community, and where the intelligence estimates need to come from. I'll spend a

little bit of time on that later, because that's where the DOD and National Guard focus come in.

The fourth recommendation—ensuring effective congressional oversight—is important. A problem we will face in the implementation of many of the ideas suggested by the Commission will be in getting them through Congress in the current environment. Some alignment changes are necessary to provide better oversight on homeland defense issues. You are all aware of how disjointed that oversight currently is on the Hill, which will make it extremely hard to arrive at a consensus on the strategy. That consensus will be essential, so that the resources flow from it, and not from some desire to put money into certain buckets.

I would like to spend a minute on the kind of overarching strategy Hart-Rudman envisioned for Homeland Security. The Commission's initial attempt to arrive at a strategy and structure for homeland security wasn't complete enough, so we went into a little bit further detail following Phase 2. In essence, we wanted a strategy that addressed prevention, protection, and response—a continuum. We wanted to focus as far forward on the prevention side as possible. We understood that diplomacy, the State Department's intelligence, and what we called “vigilant systems of border security,” were part of the prevention piece. The Commission's border construct, which I will explain later, will be a significant part of the prevention piece—it isn't just inspecting boxes and ships once they get to the continental United States.

We wanted to focus on protection. More missile defense and critical infrastructure protection were major areas in our discussion. And under “response” we wanted to solve the “who's in charge” problem at each level of the problem. Our first priority in the strategy for the agency we designed was to build up and augment the state and local response capabilities. Again, we agreed with the Gilmore Commission on that.

The name of our agency (which you will recall I did not like) is the National Homeland Security Agency, whose purpose will be to resolve the operational level problems I discussed earlier. As the Deutch Commission put it, we believe that without a sound structural and managerial base, it's not possible to have sound policy or execution.

We conceive of a national homeland security agency as part of, not a substitute for a strategic approach to the problem of homeland security. Even with the creation of this agency, the National Security Council supported by its staff (rather than a staff by itself) is still going to play a critical role in crafting a strategy, and coordinating the various government departments and agencies involved in homeland security. Having a strategy and a coherent budget process to match that strategy, in our view, is necessary, but not sufficient to repair the inadequacies in current US Government organization. You need to go beyond just having an office create the strategy and getting the budget right. However, a Cabinet-level agency can bring about the kind of operational implementation I alluded to earlier. Some aspects of the job are too detailed, too big, and require too much staff and operational activity to run out of the NSC staff. The National Security Council and its staff should focus on the strategy and the matching of resources to objectives. We have proposed a Cabinet-level agency for homeland security whose civilian director would be a statutory member to the National Security Council giving him or her some status similar to that of the Director, DCI. That Director would be appointed by the President and must be confirmed by the Senate. The basis of this agency right now is the present Federal Emergency Management Agency. While the new agency is built around FEMA, to use its building, to use the FRP, to use some of the existing legislative authorities that do exist, I would prefer to think of it as a new agency. It's going to require a new culture. It's going to have new legislative authorities and going to require a little more operational dexterity and agility. And it's going to have to have some new core competencies, but

not many. Some additional missions may form around international tasks that it would be picking up in the border security arena, and there will be some “cyber dimensions” to the new office, all of which will serve to make it a new agency. Those who are familiar with the Stafford Act, familiar with the FRP, and familiar with the history of FEMA, would understand that this is really just asking FEMA to live up to its original charter.

The overall strategic direction of the federal government must start with the President, supported by the NSC, but stronger organizational mechanisms are needed to execute a layered strategy. So, to enhance the prevention side of the strategy, we have proposed within our agency a Directorate of Prevention, which is in essence the border and maritime focal point. We would take away from the Treasury, Justice and Transportation those three major entities (Customs, the Border Patrol, and the Coast Guard), which have grown up in one place and now are outdated and buried under agencies and departments with other agendas, other priorities and other missions. They would not be under the operational control of this Director. This Director is in essence an Assistant Secretary kind of position—that’s the policy focal point. They would not move. They are already in separate buildings reporting to departments they work for. Instead, their separate “heads” would report directly to the agency level. We hope to get a lot of synergies and a lot of improvements out of this construct. This proposal realigns the border security agencies to improve our capacity to filter out transnational threats while facilitating the rapidly expanding volume and velocity of trade that intersects our borders today. The growth of this trade and its vital importance to our economic prosperity and our national security strengths is simply staggering – but not protected.

These components of our border management capabilities are currently in the wrong departments, which accounts for the lack of attention and support they receive from their senior management. If you view this as a moral equivalent of Goldwater-Nichols, we’ve got three military

services serving in three different departments. We wouldn't try to fight a war that way, but in a way we are already fighting a different kind of war – an unconventional war along our borders. ur recommendation is somewhat akin to Goldwater-Nichols, and will probably generate just as much heat and discontent. But we are not going to meet the threats and opportunities of tomorrow's world with a domestic alignment that had evolved little since Alexander Hamilton and Thomas Jefferson graced our government.

Again, as I said, these three agencies would simply report to the Director. They would not substantially change their current missions in any significant way. We understand they do a lot of other things, and we're not asking them to just respond to WMD events. We're asking them to do their primary missions. We would hope that common leadership and focused investments in research and development, intelligence and information systems, would substantially improve our preventive efforts against a host of transnational threats. It's also hoped that by creating a new agency we would be able to better articulate the requirements of these agencies on the Hill, for such a vital projects as the Customs IT modernization program—ACE (Automated Commercial Environment)—and the Coast Guard deepwater recapitalization program. These agencies are critical national security partners. They're just not treated as such. We now need to think of them, resource them and focus on them.

I agree with a comment made by Governor Gilmore. We don't need new organizations. We need to make the ones we have more effective, and this is one way of doing so. This proposal does not create a national police force or Ministry of the Interior. It's not a fortress America or Maginot Line to hide behind. It wasn't an attempt to inspect each box or container that attempts to enter this country. The policy director in the agency headquarters supported by the agency is going to oversee policy and requirements for border security and extended security systems throughout our transportation networks. This will involve working

closely with both domestic and international business communities, not just sitting at customs points and points of access. We believe this can be done with greater effectiveness by one agency rather than piecemealed by Treasury, Commerce and Transportation.

The reality today is that we have limited assets to attempt to detect or interdict transnational threats. Millions of people, millions of boxes, millions of cars, thousands of airplanes enter and leave the United States every day. This proposal attempts and aims to ensure that with better intelligence, coordination, and technology we can use the assets we do have to interdict in a more intelligent manner. As I said, we know that these agencies have a variety of missions, but they have no more important missions than their public safety and security functions. This proposal ensures that they have common leadership and common information systems, and that somebody represents them in fulfilling these missions to the legislature.

This second directorate is in essence just a consolidation of the National Infrastructure Protection Center (NIPC) and the Critical Infrastructure Assurance Office (CIAO). Lots of studies have been done recently on the NIPC and its performance. GAO, Harvard, and the Defense Science Board all echo the criticisms and comments that we heard. The kinds of missions we want the NIPC to do would be better done some place outside the Hoover Building, and might be better done outside the Department of Defense. It might be better outside the Department of Justice entirely. We would like to see it merged with the Commerce Department's CIAO so that planning, information sharing, and coordination between industry and government is done some place that satisfies everybody from a civil liberties perspective and is effective. I believe the Commission's proposal will solve some of the civil liberties concerns that have been brought up concerning NIPC's location at the FBI.

This Directorate would coordinate efforts to address the nation's vulnerability to electronic and physical attack on critical infrastructure. It would be responsible for enhancing the sharing of information on cyber and physical security, tracking vulnerabilities, and proposing better risk management practices. It would help delineate the respective roles of the various government agencies in preventing, responding to, and recovering from attacks. These are things that we haven't thought about a lot. We don't envision a large staff. It's probably even less than the total billets currently in the NIPC and the CIAO combined. In cooperation with this directorate, we envision letting private sector organizations do much of the warning and information sharing tasks, as has been suggested by a number of think tanks and universities.

We saw the cyber dimension as something that was not wholly unique in of itself, but part of critical infrastructure. It's more ubiquitous rather than unique. We felt it was impossible to separate computers from government services, power systems, dams, transportation networks, power distribution centers, and even sewage treatment plants. The cyber dimension is everywhere, but to date we have not approached it that way.

The Commission placed its focal point for enhancing the protection of critical infrastructure within the one entity now charged with preventing, mitigating, and responding to attacks (natural and unnatural) that impact our infrastructure, which is FEMA. Given FEMA's relationship to industry, other agencies and local governments, we believe this will create synergies on the prevention side of the problem. It will also create some synergies on the response side of the problem because the activity and the directorate working critical infrastructure is collocated and shares common policies, leadership and direction with the policy directorate.

Finally, our recommendations will provide a federal capacity to rationalize and coordinate at the operational

level its aid to local state and regional responders who will almost invariably be the first to contend with natural disasters or some kind of terrorist attack. We do this within what we call the Director of Emergency Preparedness and Response, whose primary function is in essence FEMA's *raison d'être*.

The tasks we gave this Directorate all center on integration, cooperation, and interoperability. We will look to them to set training and equipment standards, providing resource grants, encouraging the intelligence information sharing among its state officials and local first responders. We will count on them to integrate the various activities at the federal agencies into the federal response plan. We will depend on them to pull together the contributions of various private sector activities, particularly the medical community. The Directorate will refine and define the nation's incident response system, eliminate duplicate command arrangements and training programs, and then design and execute a robust exercise program and regular training to gain experience and establish effective command and control procedures.

As I have said, this agency builds upon FEMA's regional organization, and will *not* be chiefly located in the Washington area. Incorporating the tasks that had been assigned to the National Domestic Preparedness Office (NDPO), it should focus on spending money outside the Beltway towards augmenting and aiding states and local resource folks.

Our goal was to streamline programs, minimize federal bureaucracy, and allocate more money into the first responder community. We believe that we must get more than the sum of the parts from our response investments. We are not getting that today. his proposal explicitly rejected the construct of crisis and consequence management. We did not believe in the time line. We thought it was a very nice construct born of a compromise to allow various people to play the role they would prefer to

play rather than meet the need for a continuous approach at the operational level of the problem.

We understand that there valid law enforcement roles for detecting, predicting, arresting and prosecuting criminal activity. No dispute. But those kinds of functions and missions do not require the creation of redundant leadership, training, exercises and planning processes in Washington, Atlanta or anywhere else around the country. If you want to have a national incident response system, you want common doctrine and techniques, singing from the same sheet of music—and you need to have an agency to organize that for you. Somebody has to be in charge of the federal support when a governor asks for assistance. We need someone that develops the contingency plans and validates them, not a librarian that just sticks them in a drawer. Somebody has to test them, make sure they are consistent with the strategy, the doctrine, and the techniques. We need to define those tasks and standards.

We need to develop the doctrine and the command and control processes in a detailed way. In short, to use a military analogy, someone has to play the part of a CINC headquarters...and we have some good, valid proposals on how to do that. Next, someone at a lower level has to produce plans and develop the equivalent of time phased force and deployment data (TPFDD) when federal support is coming into play. We need to develop “JTF commanders” and very experienced incident response folks who understand politics and understand the skills and capabilities of the assets we are trying to bring into play.

We did not forget DOD. Obviously DOD plays in all the dimensions overseas, particularly with regard to deterrence overseas and threat reduction, working with folks from the State Department. They are doing valid military missions in missile defense, space and some other activities which tie into the homeland security arena. Because some scenarios are going to overwhelm federal and state capacities, we’re going to have the military think about consequences

management, but we would reserve that for high-end scenarios.

For all that, DOD can make a greater contribution. We propose an Assistant Secretary of Defense for homeland security to coordinate policy and requirements for DOD, and to represent DOD in the interagency process—first through the NSC staff, and then horizontally with the other agencies. In our proposal we have gotten rid of the ASD-SOLIC—that freed up an ASD—and we recommended this ASD to handle the issues, which would include all civil support for any kind of mission or activity

We also wanted to increase staffing and resources for the existing JTF's, both the folks in Norfolk and the folks at the Computer Network Defense. The delta between what they told us they wanted and what they have been getting seemed to us to be to be pretty wide.

Also, the more controversial recommendation—we made a proposal about adopting the National Guard to the homeland security mission. The Commission felt that the National Guard was a very valuable asset due to its location, its status as a state asset, its political acceptability, and its knowledge of local conditions. It was the Commission's conclusion that the National Guard was due a mission for both its state emergency roles and its federal war fighting functions—and both were valid—but the National Guard was not dual-capable of fulfilling both those functions without resources, training, and education.

We intended to redress this mismatch. We think that President Bush agrees with us based on the statements he made in West Virginia. This was the explicit recommendation we made, that the National Guard should be focusing on homeland security more as a primary mission. Unfortunately, some people in the press interpreted our recommendation as making it *the* primary mission, thereby turning the National Guard into a purely domestic force. We never intended that. There was only one

commissioner who even raised that for debate one time and he got pummeled pretty quickly.

It is a role that almost all National Guard units have. They do it kind of in extremis, ad hoc, because they have people who are dedicated and will show up because they have trucks and radios. They are fit and used to taking directions, and they are dedicated people. They don't necessarily always have the training and the resources to do the job we have asked of them. General Davis in his annual statement pretty much said that and the National Guard Association has made the same observation in justifying requests for resources from Congress that match those we made in our report.

So why is this approach the best to take? Well, I think it provides the authority, responsibility and accountability, both at the strategic level and the operational level, to do the job we see as needing done. We are not trying to create an agency that controls people's budgets or tells people what to do. We did not task the agency to make the strategy. The President is responsible for getting his national security strategy. The homeland security function should be part of it. He should be assigning objectives to the major departments. That visible document, that consensus from the NSC, should drive the budgets, and in turn, should drive cooperation and coordination among the major departments

We resolve the "who's in charge" problem—the President for some things, the State Department for the role it plays domestically at the border, With regard to consequence management, the incident response system, and the emergency management system, we found these functions to be too fragmented, we have made some structural recommendations to fix the problem.

We are trying to enhance deterrence and defense against emerging threats. We are streamlining federal structures and support, hopefully getting greater focus to prevention as well as to the first responding community. We are building on existing organizational capabilities and

competencies, trying to leverage with all that exists in disaster relief and emergency management, and in the kinds of relationships that should exist between FEMA and state and local officials. Because it provides for greater synergy and efficiency and is consistent with our political traditions, constitutional order of government and civil liberties, I think it merits your attention

We are not proposing vast undertakings. We're not proposing a highly centralized, unresponsive federal bureaucracy sitting inside the Beltway. We are not proposing to spend vastly more money than we are already spending now. This is not highly disruptive to existing agencies unless leadership and effective coordination is suddenly so new and so unusual for some of our border security agencies that they consider it disruptive. Nor is our proposal based on long-range and highly speculative scenarios. We should be enhancing our border security. We should be enhancing our emergency response mechanism because they are inadequate, fragmented and weak. Nor is this an Interior Ministry for those truly concerned about it. We have deliberately minimalized the law enforcement side of things because of concerns in that regard. If anybody were seriously concerned about civil liberties or over-reaching federal agencies, they should be more explicitly concerned about the current approach in both WMD preparedness and the cyber dimension over the last four or five years, particularly at the FBI and DoD.

I would like to point out that this proposed agency creates new structure. It does not require any more billets—hopefully less— offers greater synergies, and thus hopefully less government than we currently have. What it does put in place is the credible partner in the national security community that is sorely missing today.

Let me sum up. The Commission detailed a very dark worldview – admittedly very pessimistic. Others might have different threat assessments; if you do you will end up with a different structure, and you will end up with a

different strategy. But the Commissioners thought that the world was fundamentally different than the Cold War. So they laid out a different general strategy for the dealing of this world that requires rethinking what national security is really all about. They concluded that to deal with this world of fast paced change and even faster cycles, new structures and processes are needed at the National Security Council, within DOD, at the State Department, and in our fragmented domestic security apparatus. The need to transform our non-traditional security bureaucracies for a new world is more evident every day. We have been addressing it for the last couple years. We need to face tomorrow's threats instead of yesterday's. The status quo is not acceptable and the vectors between our current growing vulnerability over the next decade and our organizational capacity to respond are widening, not narrowing.

Mr. Raymond Decker
Director, Defense Capabilities and
Management
General Accounting Office

I'm going to talk about just four items: Threat, Leadership, Strategy, and Action. You probably are familiar with a lot of the work GAO has done in combating terrorism. When you talk about national consequence management and national domestic preparedness or homeland security—this is a new area for us. But, there is a lot of knowledge that we have gained over the time.

I would just like to introduce two of my staff who are here, and who will be leading our first effort in homeland security. At the request of many of the members from committees that are represented by their staff today Brian Lepore, my assistant director, is going to head up homeland security issues. Lorelei St. James, out of Atlanta, is going to be a senior analyst in charge of the day-to-day operations in this area. The reason I wanted to alert you to their identities is that they will probably be contacting your organizations over the conduct of this study. Perhaps maybe during the next two days you will have a chance to talk with them and develop some type of rapport.

Threat and Issues. Wasn't it easy years ago? We knew who the bad guys were and we knew how to remedy the situation. It was not really difficult back then. But the threat has changed quite a bit. Most threats in the past were nations, groups, individuals outside this country that did not have a friendly view towards our nation, our style of management, our economy, whatever. They were open about their displeasure; therefore, it was pretty easy to see. The issue now is that the threat can be outside...It can be inside...It can be foreign or domestic. It can have an international tail, an affiliation. Political boundaries of a nation-state, of a country, appear to be a little bit less relevant in some respects. And, we are concerned that some

elements of the new threat seem willing to use weapons of mass destruction or, if you will, weapons of mass disruption. I think that is something you have to think about in the future when you talk about international relations. We may be facing non-traditional enemies, predisposed to non-traditional threats.

When you're comparing traditional to non-traditional, traditional is pretty easy to understand. The military as we understand it, is for the most part traditional. But when you talk about nontraditional, it is a little harder to grasp. A document that came out in December of last year, the National Intelligence Council's *Global Trends 2015*, tries to help out in this regard. It is a dialogue among non-government experts talking about the future. They talk about drivers and the issues that may affect our national security in ways many of us would not consider. For example, the Army's deputy chief of staff for intelligence said in an interview last week that we have to re-look the role of intelligence and what constitutes intelligence when we look at our missions of the future. His immediate focus at the conference he was attending wasn't space warriors or anything like that. His focus was on potential conflicts over water rights, for which we here in the United States have no perspective. When two nations like Turkey and Syria go at it over water and the U.S. is called in, we have no understanding of the underpinning of that issue. Similarly, *Global Trends 2015* talks about issues that evolve around technology, demographics and globalization that may change both the nature of the threat and what motivates that threat. So, I would suggest that there are some very non-traditional things that are happening outside this country that will have a direct cause and effect on many things within this country. For instance, if we have been following the migration and demographic patterns around the world, we might see some correlation with the illegal immigration issues that we have been experiencing over the last couple of decades. My point here is that we may need to adjust our perspectives over what needs attention, and

what may have future ramifications on our national security.

Leadership. I think we get too preoccupied about “who’s in charge,” when the real problem is an absence of leadership at the highest level in this country needed to deal with crosscutting issues such as combating terrorism and homeland security. What we [GAO] believe is that there needs to be a focal point—a focal point close to the President who is able to make significant decisions across interagency boundaries. This agency or individual will be able to circumvent areas of contention (such as the so-called line between crisis and consequence management), remove the rice bowls, and provide for the kinds of seamless integration that everyone agrees will be necessary for effective homeland security.

Our sense is if you have a national focal point, and it’s going to be close to the President, then it will have authority. That is key—authority. Normally, authority in Washington relates to money. Once you are able to influence funding, you have some ability to leverage planning, programs and funding, and link these to results.

Strategy. In trying to address homeland security, it is just common sense that you have to begin with a cogent strategy. And with a cogent strategy there has to be clear vision, an articulated mission, and a performance plan with performance measures to be able to gauge the success. Until you have done this, you don’t stand much of a chance of prioritizing and distributing what will always be limited resources. When that does not happen—when you fail to begin with a strategy—you end up with what we have now: an \$11.3 billion a year, fiscal phenomenon appropriated without a game plan, being spent the same way. Domestic terrorism is one of the fastest growing non-entitlement discretionary accounts in the government, with a growth rate of about 10% per annum. There are questions being raised about return on investment by many on the Hill and even within different agencies that receive funding.

More significantly, besides being unable to regulate any “return on investment,” the lack of a cogent strategy prevents us from identifying significant gaps in our defenses. On the one hand we know intuitively that the status quo is resulting in duplication, but questions remain over whether we’re covering all of the bases? I want to suggest to you that whatever model the government does adopt on homeland security or national domestic preparedness, there has to be a very good strategy planned ahead of it that allows us to see who is really responsible, for what role they’re being held accountable, and what metric needs implementing to make sure that role is being met.

Someone has said, “When the stars are in the right alignment, things happen.” Well, I think things are starting to happen. With respect to the Hill, the requests that we have received from many here through their committees and through their members have focused GAO’s attention on several aspects of the homeland security issue. You’ve asked some important questions that we hope to be able to satisfy. That’s part one of addressing the issue.

Part two goes beyond the questions to proposals—specific legislative proposals. H.R. 525, the *Preparedness Against Domestic Terrorism Act of 2001*, was introduced in February of this year by Representative Wayne Gilchrest of Maryland. Miki White, here with the symposium, contributed significantly in shaping that bill through her area in the House Transportation and Infrastructure Committee. In March, Representative Mac Thornberry of Texas sponsored H.R.1158, the *National Homeland Security Act*, aided in no small part by his Defense Legislative Assistant, Kim Kotlar. Later that same month, Representative Ike Skelton introduced the *Homeland Security Strategy Act of 2001*. Bill Natter of the House Armed Services Committee staff played a significant role in drafting that piece of legislation. The same type of attention is being paid on the Senate side. Congress is clearly engaged.

Part three is continuing on line from questions being addressed to the GAO, to proposals from Congress, to actions being taken in the executive branch. On May 8, 2001 the President released a White House statement that set up a task force to be chaired by the Vice President to look at a framework for a national domestic preparedness. In the same announcement was the establishment of the Office of National Preparedness, ostensibly under the Director of FEMA, to help look at the efforts that come out of the Vice-President's taskforce and (especially) to see how to implement consequence management across agency lines, for which FEMA is the lead federal agency. As many of you know, there have been some problems in the past involving "food fights" between FEMA, the Department of Justice and some other agencies, and ONP should be able to fix some of that. There you have "proof positive" that there is some energy being devoted from the highest tiers of the executive branch to make things happen. The sad part about what is going on in the White House, though, is that there doesn't seem to be many people assigned to the task right now because of energy policy issues that are taking precedence.

The Director of FEMA, however, has stepped out smartly. It was only 2 July, I think, that they established the ONP and put some people against it, but they had an important brief delivered out of it last week at the worldwide antiterrorism conference. Tom Antush delivered the brief. It was very interesting; a very positive step out, much different from what would have been delivered during the tenure of the last Director of FEMA. I think Mr. Allbaugh is very committed to doing better with consequence management from a FEMA perspective.

The last part of addressing the homeland security issue, however, lies with the American people, and I think that this is one of the weak links in the stars alignment. We heard some comments earlier about the federal role, the state and local response and what everyone is trying to do to bolster domestic preparedness. Then I started thinking about my mom and dad down in Florida. I was thinking

about my neighborhood and I was wondering, “What do my neighbors and my family really think about these issues? What do they know about these issues?” If we are really trying to make sense and be more proactive in a lot of these areas, where is the education—the awareness—to make sure that the moms and dads and everyone else truly understand the nature of the threat, what we are doing to meet it, and what they can do to prepare for it? I think that’s a key part of the government’s responsibility in addressing the issue.

To reiterate, establishing a cohesive strategy before we continue plunging into the homeland defense business will be essential. It is amazing to me that we would have tried to start without one, but that seems to be the case. A good example came across my desk last July. It was the draft for the executive order on critical infrastructure protection in the information age. I went over this a couple times because I wanted to make sure that I did not miss something. The “s” word was missing—not a trace. It talked about roles, responsibilities, and new organizations, structures, who’s in charge, policy—you name it. But no strategy. Nothing. Unfortunately, that hasn’t been the only aspect of homeland security that began without a blueprint. That’s something we need to correct.

I am going to conclude rather unconventionally by recommending two pieces of research for your perusal. The first is an article, *Defending America* by John Brinkerhoff, in the August 2001 Journal of Homeland Security. John is a retired Army officer and former SES at OSD. He looked at what killed Americans in 1997, and examined how they died. He said that in 1997, about 2.2 million people died from disease and health related issues; 92,000 from accidents (most of those are car accidents); 18,000 from malicious attacks (homicides); 30,000 from suicide. Natural disasters resulted in 230 deaths. Terrorism—claimed no deaths in 1997— zero. It’s a neat article, worthy of our consideration, particularly as we continue to struggle with ideas like threat- risk assessments and the like.

The other item is a 179-page report that came out of our office. It is a monster, done by two of my teams. It really captures what has really been going well in the government over the past five years with regards to combating terrorism— from leadership all the way through execution. It makes serious recommendations to the White House on how to improve future efforts and how to make ongoing efforts work better. The report will be released right after Labor Day, and available on our website. I would recommend it not only to your attention but also to your continued research. And with that, I would like to close my part of the presentation.

Discussion

What do you think is absolutely required for the new FEMA Office of National Preparedness (ONP) to be a success?

We must have a national strategy for homeland security. We don't have a revised National Security Strategy yet, and it would be great if homeland security were part of that strategy. Once that strategy is known it may become clearer what the mission of the Office of National Preparedness will be.

Is ONP really a re-creation of the FBI's NDPO (the National Domestic Preparedness Office)? What do you think ONP will have under FEMA that the NDPO doesn't or never did have?

ONP should have legitimacy. NDPO was a stepchild that resulted from disagreements between the Justice Department and FEMA. It was hastily established with little coordination or support from Congress or from the executive branch. If FEMA is given responsibility for executing part of the homeland security strategy, then ONP will get resources.

What direction would you give the states in the absence of a national strategy?

Establish emergency assistance compacts among neighboring states so you can demonstrate political consensus and be able to focus a greater amount of resources on events, should they occur; focus your state's effort on resourcing your response to high probability events; raise the awareness of your political leadership to your requirements so they can effectively earmark state resources to satisfy state responsibilities.

Chapter III

Panel 3 - The Evolving Legislation

Introduction.

Fourteen committees of the U.S. House of Representatives and eleven committees of the U.S. Senate claim some degree of oversight over aspects of homeland security. This Congressional interest is well documented, resulting not only in the commissions and the types of studies addressed by the previous panel, but also in legislation specifically targeting domestic security affairs.

The symposium's third panel consisted of staff members from the office of Senator Pat Roberts of Kansas and Representative Mac Thornberry of Texas, along with a senior policy analyst from the House of Representatives Committee on Government Reform. Their presentations described some of the evolving legislation aimed at supporting and framing Homeland Security and Consequence Management issues, policy, and spending.

**Ms. Kim Kotlar
Legislative Director
Office of U.S. Representative
William M. “Mac” Thornberry**

First of all, I would like to thank the Army War College and CSIS for inviting my colleagues and me to join you today. We really appreciate this invitation to be part of a panel, and we're even more grateful for your decision to hold this seminar.

If you believe as I do that defending the country and its citizens is one of the primary reasons we have a federal government, then the issues surrounding homeland security must get more of our attention. I don't think any of us are going to say anything particularly new or enlightening that you haven't heard. But, just the fact that Congress is talking and thinking about this issue is a good sign.

Homeland security, in general, reminds me a lot of an old joke about the blind man and the elephant: it is just so big and tough that what you see depends upon which part you touch. And that's very much the same for Congress. We're just now at the beginning stages of touching what may be the biggest white elephant we've seen in a long time.

Before we talk about what's going on in Congress, I think it's helpful to at least try to frame some of the issues as Congress is beginning to see them. We don't pretend to offer great insights or solutions at this point. But, there are a lot of questions, many of which you've heard in one form or another this morning and this afternoon.

First and foremost, we need to ask whether or not there is truly a clear and compelling threat to our homeland. And more importantly, can we convince the American public that we need to prepare for it? I think the first part of the

question is absolutely “yes.” The second one is going to be a lot harder.

Can we come to a common definition of homeland security? Then, having arrived at the definition, can we begin to develop an overarching strategy to deal with it without first facing a devastating incident? What is the appropriate role for the federal government, the Department of Defense, and other federal organizations when you consider that there are about two dozen of them currently involved in this issue? Then there are state and local governments’ first responders and non-government organizations... How do we provide for them? Can we come to an effective organizational structure while still protecting individual rights and responsibilities? Can we even begin to quantify and assess what we are doing today? Are there adequate resources being spent on identifying the threat? Preventing a homeland attack? Preparing for attacks should they occur? And, subsequently, responding to the aftermath of such an attack? And finally, with eleven Senate and fourteen House committees assuming responsibility for oversight and funding, what is truly the appropriate role for Congress?

Presidential candidate Bush said in September 2000, “the protection of America itself will assume a high priority in the new century.” Homeland defense has become an urgent duty. So, if you believe then Presidential candidate Bush, it is clear that national level leadership is urgently needed. We hope this will be the case. But, in its absence, make no mistake; Congress will eventually fill the void—perhaps not with the best solution.

There are a lot of hard issues here that the three of us are going to focus on. What is going on in Congress? I think Alan McCurry is going to focus on the legislation in the Senate and the results of some of the amazing hearings that they held in May that brought together a whole bunch of different people and ideas for the first time. It was pretty much a milestone event. Nick Palarino is going to talk about

the good work done by the House Committee on Government Reform, focusing on terrorism. He'll discuss some of their initiatives and concerns on the oversight role in several of the House bills.

I want to mention the good work of the Special Working Group on Terrorism and Homeland Security that was appointed by the Speaker this year as well as my boss', (Congressmen Thornberry's) bill about a National Homeland Security Agency Act. It is HR1158.

I want to set the framework for why my boss even thought about doing this bill. We've begun a new century and a new millennium. The new administration is facing a rate of change in the world that is accelerating at a frightening pace. In coming to grips with the implications of the death of distance, there have been numerous studies and reports in the last couple of years on the world security environment. One overwhelming conclusion among them is that America and Americans are increasingly vulnerable to a broadening array of threats from a variety of factions around the world. The development and rapid spread of technology makes us more vulnerable here at home.

We may find it more difficult to pin down exactly who is responsible for some kinds of attacks. As one of my old bosses used to say, "if you're really good at this stuff, the adversary won't know who you are, where you are, what you did or what you left behind." By this time those who may wish to do us harm have already learned the lessons of Desert Storm—that it is foolhardy to hit us where we are strong. So, they are searching for ways to exploit our weak spots. Just look at how China, Russia, India and others are developing cyber and space doctrine and organizations to focus on our asymmetric weaknesses. We must now prepare for this type of uncertainty. The bi-partisan Commission on National Security in the 21st century issued a report in which it found that the combination of unconventional weapons proliferation, with the persistence of international terrorism, will end the relative invulnerability of the U.S.

homeland to catastrophic attack. A direct attack on American citizens on American soil is likely over the next quarter-century. The risk is not only death and destruction, but also demoralization that could undermine U.S. global leadership.

We have often heard about the dangers associated with nuclear, chemical or biological weapons being smuggled into this country. But we could also be devastated by computer attacks against our critical infrastructure, or by livestock and plant diseases being introduced into our food supplies.

Let me give you one fact that caught my attention. Every day \$8.8 billion worth of goods, 1.3 million people, 58,000 shipments, and 340,000 vehicles enter our country. The customs service is only able to inspect one to two percent of them. The volume of U.S. trade has doubled since 1995. Some expect it to double again in the next five years. And yet by every account we are not doing enough to protect our citizens. Again, the Hart-Rudman Commission found that in the face of this threat, our nation has no coherent or integrated government structures.

A July 1999 report by the Commission to Assess the Organization of the Federal Government to Combat the Proliferation of WMD [the Gilmore Commission] concluded that a cardinal truth of government is that policy without proper organization is effectively no policy at all. If the federal government's policy is to combat the threat posed by the spread of weapons of mass destruction, then the government must be organized to do so.

In a June 2001 study it was found that the country's seeming inability to develop and implement a clear, comprehensive, and truly integrated national domestic preparedness strategy means that we may still remain fundamentally incapable of responding effectively to a serious terrorist attack. The Commission also found that the complex nature of current federal organizations and programs makes it very difficult for state and local

authorities to obtain federal information, assistance, funding and support. This finding was borne out in the recent CSIS/ANSER *Dark Winter* Tabletop Bio Exercise. This was an amazing exercise. You had Sam Nunn playing the President. You had Governor Frank Keating playing himself. You had former Directors of FBI and CIA playing their former roles. This group, as august and esteemed and intelligent as they were, couldn't even make a stab at identifying the scope of the problem and understanding who their federal and state authorities were, much less developing an adequate response in a timely manner. It was really scary.

The General Accounting Office also recently questioned whether having a terrorism response team associated with the National Guard *and* with the FBI *and* with FEMA makes sense. Not only may there be duplication, but there may be confusion about who is even responsible for dealing with an incident. Again, homeland defense is a big, complex problem. No one bill and no one branch of government, can address its needs unilaterally. Congress and the administration clearly need to work together to develop a strategy to reduce our vulnerabilities. We need to appropriate funding of the efforts we make and we need effective organizational structures. President Eisenhower put it pretty well when he said, "the right system does not guarantee success, but the wrong system guarantees failure." A defective system will suck the leadership into its cracks and fissures, wasting their time as they seek to manage dysfunction rather than making critical decisions.

While it's not perfect, let me now turn to one organizational change that's been made this year by the Speaker of the House. He established a special working group on terrorism and homeland security. It's chaired by Congressman Saxby Chambliss, and Krister Holladay from his staff is here today. One of the positive aspects is that the membership includes eleven Congressmen who are also on some of the other committees that have homeland security issues under their purview. It includes members from the

Armed Services, Intelligence, Energy, Commerce, Agriculture, and Judiciary committees. They've spent about the last eight months taking a really deep dive into the threat assessment and vulnerabilities. We hope they will be able to spend the rest of this session assessing what needs to be done next and making recommendations for the role of the federal government and Congress. The only downside to this organization right now is that they are under the auspices of the House Permanent Select Committee on Intelligence—clearly very much still behind the green door.

Now, I would like to turn for a minute to HR1158, my boss' bill, that tries to deal with part of the organizational deficiencies created by having literally dozens of agencies with some responsibility for homeland defense. Again, this bill doesn't try to fix all the problems. As a matter of fact, you can almost consider it a shot in the dark to try to get the debate going. If we do nothing more than spur discussion and spur further action, we will consider it successful. Of course, we would like to get it passed. But, in this environment that's a little tough.

Let me tell you some of the things it doesn't do. It doesn't try to fix all the problems. It doesn't deal with the military's role in homeland defense. It does not try to legislate a particular strategy. But it *does* try to force more integration, coordination and planning, so that we can prepare ourselves for this era of uncertainty. As Frank Hoffman told you, it would implement one of the recommendations of the Hart-Rudman Commission.

I think it is important to say a word about Hart-Rudman, because I think that commission influenced my boss greatly in developing this legislation. We are so used to Commission after Commission producing report after report. We throw it on a shelf and it collects dust and nothing ever happens with it. If we allow the reports of this Commission to simply sit on a shelf, Congressman Thornberry for one believes that history will not be kind to us. This Commission was unique in the exceptional background and experience of its

members. Their political philosophies range from left to right, but the unanimously acknowledged nature of the threats we face and our lack of coherent adequate preparation has removed many philosophical obstacles for the members. It is noteworthy that they agreed on what we should do. Frankly, it's pretty darn amazing anytime you can put Newt Gingrich and Andrew Young in a room and have them agree on anything, much less something of this magnitude.

Following their recommendations, HR1158 ostensibly does three things. It transforms FEMA into a national homeland security agency using its existing regional structure. It does not create a new federal bureaucracy, but makes better use of the mechanisms that exist, reorganizing what we already have. The agency would provide one central focal point and contact point for other federal agencies, and for state and local authorities. Now instead of handing Doc Lumpkins the yellow pages, we hand him a 911 number where he can go for help. His Director would answer directly to the President. It would give priority to operational planning and coordination.

The second thing HR1158 does is brings the Coast Guard, Customs Service and Border Patrol under the umbrella of the homeland security agency, while keeping them intact as separate entities. We think it just gives them a better home and allows similar functions to move together in a more coherent way.

By creating a new agency, Congressman Thornberry's bill will also consolidate a variety of programs, including the Critical Infrastructure Assurance Office and the National Infrastructure Protection Center, that are now scattered in various places. Let me stop for a second and say we personally do not believe these programs belong in Justice. Their focus is *law enforcement*; we want the focus of these organizations to be on helping industry and helping the American public. You are less likely to want to go to the FBI for help than you would an organization whose primary

function is not to be out looking for criminals or prosecuting cases.

As we try to do a better job in preventing and preparing for homeland attacks, which are sure to come, the lines between foreign and domestic terrorism, crime and attack, and law enforcement and military functions will become even fuzzier. The constitutional and civil libertarian concerns are indeed real. Some of you may remember the outcry when a military serviceman shot an unarmed civilian along the Texas border when he was doing border patrol a few years ago. Congressman Thornberry's bill tries to be sensitive to those concerns by having civilian agencies in place with clear guidance and direction. But, he also wants to make sure those agencies are more effective, and fulfilling that first function of the federal government to provide for the common defense.

I think I would like to leave you with one last point that summarizes where I think we're headed. Last week, I was reading General Anthony Zinni's retirement remarks. He said, "on his watch, my son will likely see a weapon of mass destruction event. Another Pearl Harbor will occur in some city, somewhere in the world where Americans are gathered, and when that nasty bug or gas or nuke is released, it will forever change him and his institutions. At that point, all the lip service paid to dealing with such an eventuality will be revealed for what it is – lip service. And he will have to deal with it for real."

I hope and pray that this Administration and this Congress will provide the leadership, vision and courage to move forward and prepare, so General Zinni's son, and our sons and daughters, never have to suffer a tragedy of such terrible magnitude as that which faced our fathers and grandfathers in World War II.

Mr. Alan McCurry
Defense Legislative Assistant
Office of Senator Pat Roberts

Senator Warner established a sub-committee called Emerging Threats Capabilities three years ago. At the first set of hearings Senator Roberts asked all of our witnesses, “What keeps you up at night? What are you worried about?” The predominant answer of the host of very senior and very experienced witnesses were two things: Cyber war and an attack of biological warfare on the United States. That really made an impression on Senator Roberts. That is consistent with some of the various studies that have been out there that made a big impact on the Senate. First, two points—the good news is that the Senate across the board is aware of the problem. The bad news is that there are about 100 solutions to that problem being offered and there are 435 members of the House that doubt any of those solutions will work. That’s a slight exaggeration but...

There is an ongoing search as to what the solution to the domestic threat problem should be. That is a recipe for Congressional help if you’ve ever seen one. The issue for Congress is numerous jurisdictional problems, and the question of “who’s in charge” is just as applicable on the Hill as it is in the Administration. Don’t misunderstand the seriousness with which the members of Congress take this issue. Power sharing is not a strong suit of Congress. Right, wrong, or indifferent, that’s just kind of the way it is.

I’m sure most of you are keenly aware that there is a large debate going on concerning national missile defense. In particular, Senator Levin argues that the nation should be much more focused on the threat we are talking about here than examining the potential of a rogue nation launching a missile against the United States and expending billions of dollars to defend against it. That raises the specter of this becoming a political issue where it should not be. It should be strictly bi-partisan. I don’t think there

is any member who has looked at this as seriously as Senator Roberts and Congressman Thornberry who doesn't realize that this a genuine threat—a real threat—for which the United States is extraordinarily vulnerable, and for which we are not prepared. That should not become the subject of a big political debate. I hope that it doesn't, but the potential is there.

Several pieces of legislation are being developed in the Senate. I will talk about those in non-excruciating detail...first of all because they haven't really been offered up on the floor and they are changing documents as you go. But, I will give you the flavor of what they are doing. Secondly (and my boss has been very strident in this approach), we want to give the Vice-President and Condoleeza Rice an opportunity to develop an administration position before we impose a decision on the Administration. Still, patience is limited, and you can tell by the number of pieces of legislation out there and being developed that it won't be a long time before somebody really pushes the issue to the limit and tries to impose a solution that may or may not be the right one. It will certainly be done with good intent. I would never perjure anybody's intent on how they are trying to do it. But, right now, I think many members are willing to let the Administration have a crack at how they want to organize and solve this problem. I can also tell you that there is, from my view, no consensus within the government on the way that organization should look or the form the solution to the problems we are addressing should take. My number of 100 was a bit high, but there are a number of folks out there with good ideas on how to do things. Some are substantively different and some differ in nuance only... but they still differ.

We held hearings in May... I call them the 3-Days in May hearings. It was unusual because as I indicated power sharing is not our strong suit. We actually got members of the Appropriation Committee, Armed Services Committee and Select Committee for Intelligence to hold a joint hearing

under the auspices of the appropriators. The motivation behind the hearings was the concern Senator Gregg and my boss Senator Roberts shared following a vote connected with the issues. They started wondering about who *really* had their hands around the various agencies who claimed oversight. The number they like to use (and I don't—so don't hold me to it) is 46 different federal agencies involved in some manner or another with terrorism.

For the hearings they decided to bring representatives from *all* of those agencies to the Hill and ask them: “Who’s in charge? What’s your mission? What are your funding lines? What problems do you have fundamentally?” So we did that. We didn’t actually have 46 witnesses, but we had all the Cabinet members of the agencies that deal directly with this issue. Additionally, we had the Red Cross and we had first responders. or three days... morning and afternoon sessions...which by itself was pretty remarkable when you consider that this tied in Senators Stevens, Warner, Murkowski, Shelby, Byrd and Kay Bailey Hutchinson—along with Senators Gregg and my boss, Senator Roberts. This was a pretty unusual group of senators—all interested and participating in this hearing. It was really fascinating.

It was interesting to watch the senators and the witnesses wrestle with the problem of “who’s in charge.” Attorney General Ashcroft and Mr. Allbaugh of FEMA, kind of back-to-back said *they* were in charge, and then confessed an understanding that perhaps there was some power-sharing going on. Now, just like here, we had some first responders at the hearing, including the sheriff from Arapaho County, Colorado. At the end of the hearings, my boss took the occasion to sum things up by saying *he* is the guy that really is in charge. The first responders at the local level will have the crisis and the casualties until such time as the state and, if necessary, the federal government can intervene. In the meantime, the local people are in charge and ought to be listened to. We think that ought to be a key part of whatever solution is developed.

So, when we finished up those three days of hearings we sent a letter to the Vice President, signed by the members that participated, with seven points that we thought that he ought to consider as his working group moves forward. They were:

- **The Need for National Leadership-** little question here. The leadership will have to begin at the White House
- **Leadership in each Agency** – i.e, a single point of contact Just a quick anecdote. At one of our hearings last year, we had the Department of Defense, the Joint Forces Command, and the Special Assistant to the Secretary for Terrorism, Domestic Terrorism. We had Mr. Charlie Cragin and I think there was one other person. We had four members of the Department of Defense testifying on the same panel. Senator Roberts said, would you please sit in the order of your chain of command. And they didn't have a clue. As we all know, chain of command is an important thing. So, we put into legislation that they should establish a single point to contact within the Department of Defense for this issue. They have done that or are, at least, doing that... and other agencies will be leaned upon to do a similar kind of thing.
- **A Need for a National Strategy-** You've heard it several times today, and I'm sure you'll hear it throughout the rest of the conference. All structural discussions aside, until we have a unifying strategy, we're not going very far forward. But it has to be carefully developed and not just thrown together in an emotional response. Like the old saying goes, "if you want it bad, you'll get it bad."
- **Designating the Department of Justice as Lead Agency for Homeland Security Issues–** Senator Gregg was the strongest influence on this

recommendation. I look at it as something of an extension of the work that went into reorganizing DOJ last year.

- **Resolve the Appropriation Issue-** The budget process has to be resolved. Looking at the Armed Services alone, when you try to pin the Department of Defense down on how much they are spending on terrorism, we're given figures and requirements reflecting everything from counting the gate guard as an asset to who-knows-what. Of course, this raises another issue... *whoever* is eventually tasked as lead for the government in homeland security issues will have to be given some degree of budgetary authority. That's the only way to begin tracking the money trail.
- **Begin with Conducting a Threat/Risk Assessment-** On the one hand, we are accused of not preparing for the threat. On the other hand, you cannot fiscally prepare for *every* threat. A threat-risk assessment may not be perfect, but it's the only reasonable way to begin assigning priorities.
- **Explore RDT&E Initiatives for Combating Domestic Terrorism-** There's a lot of technology that needs to be developed here, to address everything from force protection on the military side to access control on the country's borders. We need technology to help us with that problem.

By the way, with regard to all of the work that has been going on...it is clear that the commissions and exercises and studies have all been heard on the Hill, including the CSIS Task Force, TOPOFF and *Dark Winter*. And they have made a tremendous impact on the members. Senator Warner said after he was briefed on *Dark Winter* two weeks ago that in his 23 years on the Hill, it was the most disturbing presentation that he had ever seen.

I think the House may be ahead of us in the Senate in trying to get organized for the issue. We actually put together a proposal for the leaders—before the change in leadership—that created the kind of structure that had been suggested here earlier in the conference. The proposal created a special committee made up of a very small permanent staff. Through them, the members of the committees and sub-committees claiming jurisdiction would be able to monitor and keep tabs on what was going on surrounding Homeland Security within the total Congress. This staff would report to the leadership of each one of those committees/subcommittees so everyone would remain apprised. As things are now, we continue to find out that another committee is holding a hearing on this subject, which is clearly an area of concern to us. But there is no coordination. It is very disconcerting, and it is very inefficient. At any rate, that was the proposal, but I don't know how it will progress with the new leadership.

Just a couple quick words on some legislation that is pending. We've already talked about Senator Gregg's recommendation to make DOJ lead agency for Homeland Security. I think that's moving, and probably we will succeed in the Senate. In addition, the Select Committee on Intelligence is creating a piece of legislation called "Response to Terrorism Act of 2001," that will create a "National Office For Combating Terrorism." This proposal for the office comes with the kinds of recommendations you have heard earlier in the symposium: a director that is Senate confirmed, charged with creating a national strategy and tasked with coordinating all the other federal agencies in homeland security issues. The legislation here will bring particular notice to the responsibility of the office to serve as a clearing point that balances civil liberties and national security. That is a real tough issue in this homeland defense/homeland security/domestic terrorism review because it can easily evoke "the black helicopter syndrome" in the great state of Kansas. Whatever the case,

the main proponents for the initiative are Senators Kyl and Feinstein.

Along with these two Senators, Senator Bennett is launching an initiative called the Critical Information Security Infrastructure Act. Someone alluded to the problem of getting commercial industry and private firms to share information with the federal government...this piece of legislation will try to address it. Their act tries to come to terms with protection for proprietary information, liability protection and those sorts of things in order to promote a willingness in private industry to share information with the government.

I find it interesting that as I've talked with some of you here today, I've discovered things going on within the Senate that I had no idea were occurring. Interesting, but not surprising because it points out the problem that we've been talking about—the stove piping within the Senate itself. We've got to get our hands around that, too, but that problem is far from fatal. What I think would be fatal, however, is if we were to turn this into a political debate, and lose sight of the fact that this is an extraordinarily serious problem that the country faces—with nothing close to a solution.

**In Search of Priorities, Leadership,
and Strategy**

**R. Nicholas Palarino
Senior Policy Analyst
Subcommittee on National Security,
Veterans Affairs and International Relations
Committee on Government Reform
United States House of Representatives**

Thank you for inviting me to participate in the Consequence Management Symposium. It is an honor to be here at the United States Army War College, and contribute to the ongoing debate about domestic defense. Forums such as this will shape our national strategy, and contribute to our preparedness.

The United States faces a number of threats—economic, cyber, missile, and of course terrorism. The focus of my remarks today is on the terrorist threat that comprises a significant portion of the homeland security problem. We know the United States and its citizens are targets, and will continue to be targets of terrorists for the foreseeable future. But, where will the next attack come from? Who will take the lead in preventing such an attack, and what is our overall strategy to deal with this threat? These are questions that need to be answered, and answered sooner rather than later.

Terrorists have killed and wounded thousands of US citizens. The bombing of the World Trade Center in New York City, the bombing of the US Embassies in Kenya and Tanzania, and the most recent attack on the USS Cole are examples of the unconventional threat the United States must defend itself against. Reports about explosives being smuggled into the United States before the millennium, the US Embassy in Yemen being the target of terrorists, as well as an attempt by the international terrorist, Osama bin Laden, to bomb the United States Embassy in New Delhi

support the conclusion the United States must organize itself to prevent attacks, and if prevention fails, be prepared to deal with the consequences. Conventional explosives were used during previous attacks. However, in the future the United States could be faced with a mass-casualty terrorist attack resulting from the use of a weapon of mass destruction.

How the United States prioritizes threats, provides leadership, and develops the plans to deal with terrorism, has been the subject of debate for the past five years. Despite the fact the Clinton administration established a counterterrorism office, and published a number of directives designed to patch together agency responsibilities to counter terrorism, the previous administration did little to set priorities, establish authoritative leadership, or develop a comprehensive strategy. These actions resulted in a disjointed effort, with no clear priorities, no one in charge, and no plan. The current administration is reviewing government-wide preparation to counter terrorism, focusing mainly on domestic preparedness. But, the new administration does not need to reinvent the wheel.

The work that Congress and expert groups have done on this issue is extensive. Such work provides the new administration a roadmap to use in preparing the United States and its citizens for the next terrorist attack. This presentation will focus on four points: first, the terrorist threat; second, the federal response to that threat; third, the work Congress and experts groups have done examining the issue; and finally, provide recommendations on what we need to do as a nation to better prepare ourselves before the next terrorist attack.

Threat

We should keep in mind three points about terrorism. First, terrorism is boundless. The father of the service member killed in the Middle East, or the mother of a child blown up in Oklahoma City share the same pain. Additionally, terrorists attack both civilian and military targets. Second, terrorism is transnational. Terrorists could be headquartered in one location, train in another, and travel thousands of miles to attack their target.

Third, we will never be able to rid ourselves of the acts of madmen, especially when they believe we are trampling on their rights or they believe the United States is the great Satan. Several examples of terrorist attacks demonstrate these points.

- The bombing of New York City's World Trade Center in 1994 by Islamic fundamentalists demonstrated the United States proper was not immune to acts of terrorists intent on causing large numbers of casualties. Six persons perished in the attack and approximately 1,000 others were injured. Tens of thousands might have been harmed had the terrorists' plans to topple one of the Trade Center's towers into the other succeeded.
- In 1995 there was a sarin nerve gas attack on the Tokyo subway in which 12 persons were killed and more than 5,000 injured. This incident, perpetrated by a Japanese religious sect, Aum Shinrikyo, demonstrated both the vulnerabilities and potentially catastrophic consequences of unprotected societies and ill-prepared governments in the face of indiscriminate attacks by adversaries employing exotic weapons.
- Less than a month after the Tokyo attack, Timothy McVeigh used a large truck bomb to demolish the

Alfred P. Murrah Federal office building in Oklahoma City, killing 168 persons and injuring hundreds more.

- In 1995, terrorists detonated 5000 pounds of TNT outside the US military compound, Khobar Towers, near Dhahran, Saudi Arabia. Nineteen Americans were killed and 500 wounded.
- In 1998, terrorist bombs exploded near the United States Embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania. The attacks killed over 220 people and wounded more than 4,000. Among the dead were 12 Americans.
- Last October, a United States Navy warship, the USS Cole, was attacked by terrorists. The attack by two suicide bombers blew a 40-by-40 foot hole in the destroyer, leaving 17 sailors dead and 39 wounded.

These few examples illustrate terrorism will be with us for the foreseeable future, and terrorists will choose the target. But we cannot protect everything, all the time. We cannot stay on a heightened state of readiness, continually.

The Federal Response

The federal bureaucratic structure responding to terrorism is massive and complex, with no single office having authority over the effort. In various forums, state and local officials have consistently expressed frustration understanding where to go to obtain information, assistance, funding, and support. Additionally, federal programs, especially those involving grants for funding or other resources, are overly complicated, time consuming, and repetitive. How did this muddle of activities develop?

Based on the series of terrorist incidents in the 1990s, government officials and experts foresaw a potentially bloodier and more destructive age of violence emerging. Presidential Decision Directives (PDDs) were developed

seeking to strengthen the ability of the United States to counter terrorism.

Presidential Decision Directive 39, *US Policy on Counterterrorism*, published in June 1995, states, “It is the policy of the United States to deter, defeat and respond vigorously to all terrorist attacks on our territory and against our citizens, or facilities, whether they occur domestically, in international waters or airspace, or on foreign territory.” The PDD designated lead agencies for all facets of the United States counterterrorism effort.

- The Attorney General, as the chief law enforcement officer, was designated to chair a cabinet committee to review the vulnerability of government facilities in the United States and critical national infrastructure to terrorism and make recommendations to the President and the appropriate cabinet members or agency heads.
- The Director of the FBI, as head of the investigative agency for terrorism, was charged with reducing vulnerabilities by expanding the existing counterterrorism program.
- The Secretary of State was directed to reduce vulnerabilities affecting the security of all personnel and facilities at non-military US government installations abroad, and the general safety of American citizens abroad.
- The Secretary of Defense was charged with reducing the vulnerabilities affecting the security of all US military personnel (except those assigned to diplomatic missions) and facilities.
- The Director of the Federal Emergency Management Agency (FEMA) was required to ensure the *Federal Response Plan* is adequate to respond to the consequences of terrorism directed against large

populations in the United States, including terrorism involving weapons of mass destruction. FEMA was also directed to ensure States' response plans are adequate and capabilities are tested.

This jumble of responsibilities goes on and on. The Attorney General, trying to sort all this out, directed the FBI to organize a National Domestic Preparedness Office (NDPO). The purpose of the NDPO was to serve as focal point and clearinghouse for related preparedness information, and direct state and local entities to the appropriate agency for assistance in countering terrorism. There were still complaints, and many problems with the federal government's attempts to organize the federal effort to counter terrorism.

The Clinton administration then issued Presidential Decision Directive 62, *Protection Against Unconventional Threats to the Homeland and Americans Overseas*, dated May 22, 1998, which established the Office of the National Coordinator for Security, Infrastructure Protection and Counterterrorism. The National Coordinator was responsible for a variety of relevant policies and programs, including such areas as counterterrorism, protection of critical infrastructure, preparedness, and consequence management for weapons of mass destruction. The National Coordinator was established to work within the National Security Council, and report to the President through the Assistant to the President for National Security Affairs. The National Coordinator was supposed to provide advice regarding agency budgets for counterterrorism programs.

The Conference Committee Report accompanying the 1998 Appropriations Act for the Departments of Commerce, Justice, and State, the Judiciary and Related Agencies directed the Attorney General, in consultation with other pertinent agencies, to develop a *Five-Year Interagency Counterterrorism and Technology Crime Plan*. The plan was intended to serve as a baseline strategy for coordination

of national policy and operational capabilities to combat terrorism at home and abroad.

Congress became increasingly concerned about this jumble of responsibilities, and began directing the executive branch to better organize itself to counter terrorism. Section 1051 of the Fiscal Year 1998 National Defense Authorization Act (P.L. 105-85) required the administration to provide information on executive branch funding efforts to combat terrorism. Subsequent legislation (Section 1403 of P.L. 105-261) required additional information on domestic preparedness to combat terrorism. The Office of Management and Budget recently submitted to Congress, in July 2001, the fourth *Annual Report to Congress on Combating Terrorism*. The report provides funding and programmatic information on the federal government's efforts to combat terrorism.

President Bush announced the Vice President has been designated to oversee development of a plan for responding to terrorist attacks in the United States. Additionally, a new office within the Federal Emergency Management Agency (FEMA) would be established and tasked to coordinate terrorist response efforts of the federal agencies.

This revision of responsibilities allows the Justice Department to remain the lead federal investigative agency in cases involving terrorist attacks and retain responsibility for crisis management, while FEMA assumes a role previously played by the FBI's National Domestic Preparedness Office for consequence management, working with local police, fire and emergency management agencies.

It is still unclear who is in charge. Unfortunately, we still have a muddle of responsibilities. Many at the state and local level of government continue to be confused about the organization of the executive branch to counter terrorism. Should states go to the FBI, FEMA, DoD, or some other agency for assistance to help counter terrorism and prepare for the consequences? It is obvious the subject of the request determines which agency states should seek help from,

however numerous studies indicate there is duplication of responsibilities between federal agencies.

Overseeing the Federal Response

Oversight of this jumble comes in three forms. Commissions were chartered to assess the threat and response, experts critiqued the administration's response to counter terrorism, and Congress held a number of hearings to determine the adequacy of the federal response to terrorism.

A recent and ongoing commission report, *The Second Annual Report of the Advisory Panel to Assess Domestic Response Capabilities For Terrorism Involving Weapons of Mass Destruction* (created by Public Law 105-261, and known as the Gilmore Commission) concluded, "the United States has no coherent, functional national strategy for combating terrorism, and the next President should establish a National Office for Combating Terrorism." *The Phase III Report of the US Commission on National Security/21st Century* (DoD chartered, and known as the Hart-Rudman Commission) recommends, "The President should develop a comprehensive strategy to heighten America's ability to prevent and protect against all forms of attacks on the homeland, and to respond to such attacks if prevention and protection fail." *The National Commission on Terrorism* (created by Public Law 105-277) advocated enhancing planning and preparation to respond to terrorist attacks and creating stronger mechanisms to ensure funding for individual agency counterterrorism programs reflect priorities. This should be integrated into a comprehensive national counterterrorism plan subject to congressional oversight. The Center for Strategic and International Studies' report, *Combating Chemical, Biological, Radiological and Nuclear Terrorism: A Comprehensive Strategy* argues, "The United States currently lacks a comprehensive strategy for countering the threat of terrorism...." Bruce Hoffman, Director of Rand

Corporation’s Washington office, an expert on terrorist issues stated, “A prerequisite to ensuring US resources are focused where they can have the most effect is a sober and empirical understanding of the terrorist threat, coupled with comprehensive and coherent strategy.” Dr. Amy E. Smithson, a researcher on chemical and biological weapons at the Henry L. Stimson Center in Washington, concluded in a recent report titled *Ataxia*, the federal government has wasted large sums of money by mismanaging an array of domestic preparedness programs. All of these reports conclude the federal government needs a plan.

Congress has also done a great deal of work on the issue of terrorism. The history of one Subcommittee’s efforts is an example of these ongoing efforts. Congressman Dennis Hastert, who was Chairman of the Subcommittee on National Security, International Affairs, and Criminal Justice, part of the Government Reform Committee, focused on the federal government’s response to terrorism. With Congressman Hastert’s elevation to Speaker of the House of Representatives, the new Subcommittee on National Security, Veterans Affairs and International Relations, chaired by Congressman Christopher Shays, conducted 14 hearings in the 106th Congress, and is continuing those efforts in the 107th Congress. A complete list of the Subcommittee’s work on this issue can be found on the Subcommittee’s website, <http://www.house.gov/reform/ns>.

Hearings/Formal Briefings:

- Combating Terrorism:
Federal Counterterrorism Spending 3/11/99
- Combating Terrorism:
National Domestic Preparedness Office 5/20/99
- Combating Terrorism:
National Guard Response Teams 6/23/99
- Combating Terrorism:
Medical First Responder 9/22/99

Combating Terrorism: Assessing the Terrorist Threat	10/20/99
Combating Terrorism: Medical Stockpiles	3/8/00
Combating Terrorism: Research Coordination . . .	3/22/00
Combating Terrorism: Domestic Preparedness . . .	3/27/00
Force Protection: Khobar Towers and Lessons Learned (Briefing)	6/27/00
Combating Terrorism: Federal Coordination (Briefing)	6/28/00
Force Protection: DoD Chemical/Biological Defense Plan	5/24/00
Force Protection: Individual Protective Equipment	6/21/00
Combating Terrorism: Threats, Risk, and Priorities	7/20/00
Biological Weapons Convention Protocol	9/13/00
Combating Terrorism: National Strategy	3/26/01
Combating Terrorism: Protecting Interests Abroad	4/3/01
Combating Terrorism: Options to Improve the Federal Response (Joint with Transportation Committee)	4/24/01
Combating Terrorism: Stockpiles	5/1/01
Biological Weapons Convention Protocol	6/5/01
Biological Weapons Convention Protocol	6/10/01
Combating Terrorism: Federal Response to a Biological Attack	7/23/01

The 21 hearings the Subcommittee held focused on the organization of the government, threat information and dissemination, national strategy and establishment of

priorities, domestic preparedness, technology, force protection (including organization within DoD and protective equipment), proliferation, and medical stockpiles. The results of three specific hearings are worthy of note.

On March 27, 2000, the Subcommittee held an exercise and field hearing in Connecticut to assess the impact of programs to combat terrorism, and to ask what needs to be done to improve the focus, reach, and effectiveness of federal efforts. From that exercise and hearing it was determined that there is insufficient detection, decontamination, communication, and personal protection equipment on the front lines. Additionally, first responders in local and state agencies lacked access to full training and exercise resources. All exercise participants unanimously agreed that more exercises were sorely needed. In addition to insufficient resources, state and local officials were confused about the number of federal agencies and their roles. Additionally the hearing brought out the fact that our nation is not focusing our procedures, agencies, technical capabilities, and resources on assisting that very important local incident commander.

Our March 27, 2001 hearing, *Combating Terrorism: In Search of a National Strategy*, examined why the federal effort to combat terrorism remains fragmented and unfocused. Expert witnesses indicated there is no coordinated national strategy. US government agencies combating terrorism need a vision and mission statement, goals, and objectives. Reports and experts in the field of countering terrorism agree there is a need for 1) a national office to coordinate agency efforts to counter terrorism, and 2) a national strategy for agencies to use as a guide to develop operational counterterrorism plans. Expert witnesses at this hearing also stated analysis of the threat from terrorism lacks coordination. Too many agencies assess a myriad of threats, making a national threat assessment disjointed.

On April 24, 2001, the Subcommittee held a joint hearing with the Committee on Transportation Subcommittee on Economic Development, Public Buildings and Emergency Management entitled, *Combating Terrorism: Options to Improve the Federal Response*. The purpose of that hearing was to examine three legislative proposals introduced to direct the federal government to better organize itself to prepare for a terrorist attack.

H.R. 525, *Preparedness Against Domestic Terrorism Act of 2001*, which updates Title VI of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, was introduced by Congressman Wayne Gilchrest (MD-01). The bill would create a President's Council within the Executive Office of the President to oversee and coordinate the preparedness efforts of more than 40 departments and agencies. The bill provides the Council with oversight of federal programs and the authority to make recommendations to the Office of Management and Budget regarding budget allocations for each federal terrorism preparedness program. A similar measure (H.R. 4210) received bi-partisan support last year and passed the House.

H. R. 1158, *National Homeland Security Agency Act*, introduced by Congressman Mac Thornberry (TX-13), proposes to realign the federal government so it is better prepared to respond to homeland threats. The legislation would bring together four agencies—the Federal Emergency Management Agency (FEMA), the Coast Guard, the Customs Service, and the Border Patrol—and task these agencies with the mission of defending the homeland. FEMA would be renamed the National Homeland Security Agency and continue to be the federal government's principal response agency in times of natural disaster. Under this legislation FEMA would also become the principal agency for coordination, response, and prevention with regard to terrorist attacks and other manmade disasters, and the principal point of contact for state and local governments.

H.R. 1292, *Homeland Security Strategy Act of 2001*, introduced by Congressman Ike Skelton (MO-04), directs the president: to develop a strategy for homeland security by identifying threats and developing specific strategies for anti-terrorism and emergency management; to identify executive departments, agencies, and other organizations that should play a role in protecting homeland security and specify each organization's role; to provide for the selective use of military personnel and assets; to optimize the use of intelligence capabilities; to improve medical response capability and equipment stockpiles at federal, state, and local levels; and to designate a single official in the U.S. Government to be responsible for homeland security. This bill, along with Congressman Thornberry's, is based on *The Phase III Report of the US Commission on National Security/21st Century*.

What does all of this oversight tell us?

Findings and Recommendations

First, there is no formal assessment of domestic-origin threats that could be combined with existing assessments of the foreign-origin threat to establish threat priorities. Priorities are required to determine allocation of funds.

The General Accounting Office states risk management establishes priorities for security program requirements. Generally, the process is a deliberate, analytical approach to identify which threats can exploit which vulnerabilities to an organization's specific assets. These variables are ranked according to predetermined criteria, such as the probability of a threat targeting a specific asset or the impact of vulnerabilities being exploited by a specific threat. The process results in a prioritized list of risks used to select safeguards to reduce vulnerabilities and create a certain level of protection. This process helps prioritize investment

in preparedness against a terrorist attack.¹ A formal assessment of the domestic-origin threat, combined with existing assessments of the foreign-origin threat, should be developed to provide an authoritative, written, and comprehensive, intelligence community prioritization of the threat.²

Second, there is no central office, or designated individual appointed by the president and confirmed by the Senate, with budget authority over federal efforts to counter terrorism. Leadership is required to direct the resources and assist in preventing and dealing with the consequences of a terrorist attack. The Gilmore and Hart-Rudman Commissions agree on this point: someone or some office needs to be in charge to provide leadership and insure monies are spent properly. A central office for combating terrorism should be established with program and budget authority over all federal efforts to combat terrorism to ensure compliance with established priorities.³

Third, we found there is no comprehensive national strategy to address the threat of terrorism—conventional, cyber, chemical, biological, radiological, and nuclear—from the perspective of deterrence, prevention, preparedness, and response. A comprehensive strategy is required from which agencies can develop implementation plans. A national strategy should be developed with a high-level statement of national objectives. This strategy should be coupled logically to a statement of the means that will be used to achieve these objectives. Agencies should use this strategy as a roadmap in developing plans to counter terrorism.⁴

¹. General Accounting Office (GAO)/NSIAD-99-163, *Combating Terrorism: Need for Comprehensive Threat and Risk Assessments of Chemical and Biological Attacks*, September 1999.

². Ibid.

³. The Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction, *Second Annual Report to The President and The Congress, Toward a National Strategy*, December 2000.

⁴. U.S. Commission on National Strategy/21st Century, *Roadmap for National Security: Imperative for Change*, February 2001.

The United States has done a great deal of work to counter terrorism. Much is left to be done. The terrorist threat we face is boundless. The federal response is inadequate. The United States government needs to prioritize the threat to determine the likelihood of an attack, put someone in charge of the effort to counter terrorism, and develop a plan. These measures could deter and possibly preempt terrorists, and assist states better deal with the consequences when an attack occurs.

Postscript.

The events of September 11, 2001 demonstrate a greater need and urgency to develop a prioritized threat assessment, a comprehensive strategy, and an organization within the executive branch to oversee the implementation of agency plans to counter terrorism. The United States Intelligence Community never developed a prioritized threat assessment. The Community failed to uncover terrorist plans for the September 11, 2001 attack. Critics argue the Intelligence Community has problems with overcoming a Cold War mentality, and sharing information with other agencies. Intelligence Community apologists believe the Community needs more money and greater latitude to conduct operations. Money alone will not solve the problems facing the Intelligence Community.

There was no comprehensive strategy, nor overarching organization in place to deal with the catastrophe of 9/11. An office (Homeland Security) was established attempting to organize defenses against another attack. The Office is also tasked with preparing a strategy. While this new office will develop a plan, there are two questions that remain. Will the strategy be comprehensive or focus strictly on the domestic aspects of the issue, and ignore international issues? Some argue addressing only the domestic aspects of terrorism does not get to the most serious aspect of the problem. Additionally, will the Office of Homeland Security be granted budget authority over agency implementation?

Without such authority the Office of Homeland Security can do little to coordinate agency efforts to counter future attacks.

The Clinton administration did little to organize the executive branch to counter terrorism. The Bush administration now has the opportunity to prioritize and reorganize our defenses to meet the emerging threat.

Discussion

The Gilmore Commission recommended that the Executive Branch reorganize to better address homeland security. The Legislative Branch has 25 full committees and 42 sub-committees that claim some oversight of Homeland Security. Does Congress plan to streamline the way it addresses Homeland Security?

Congress prefers to wait for the Executive Branch to restructure its organization for homeland security, and then Congress would follow the executive branch's lead and reorganize House and Senate committee responsibilities to more efficiently address policy and budgetary requirements of the new Executive Branch structure. As a response to the Gilmore and Hart-Rudman Commission reports, the Speaker of the House has established a special working group to address homeland security, but it is premature to think that a major structural change among House committees would be forthcoming without an Executive Branch lead. There are too many committees with budget authority over \$11.3 billion to expect that members would readily relinquish control. It appears the Senate would be less likely to act to restructure and shift committee authority than would be the House.

What is the threat that we must be prepared to defend against in the homeland? How does the military, or a government agency, or a private company know what resources to commit to defending against a threat if that threat isn't apparent or can't be quantified?

The threat is a function of vulnerabilities, capabilities and intent. Without specific intelligence or a national threat assessment, an organization tends to ground its prevention efforts and its preparation to respond to terrorism on its own perceived vulnerabilities. You first need an assessment of the terrorists' capabilities and intent, and then you combine

that assessment with your vulnerabilities to identify the highest and lowest probability attacks—and the highest and lowest consequences of those attacks. When that matrix is completed you can develop your strategy for risk management, prevention, and response. The risk management process can be complicated and is fraught with dilemmas, but a national threat assessment would help simplify the process. This threat assessment may help counter known terrorist groups, but it not likely as effective in identifying small scale actors such as Timothy McVeigh.

Does the US plan to conduct any pre-emptive strikes on identified threats in the U.S. or overseas? Or must we wait for a terrorist attack to occur before we can legally do anything? Will the United States Congress pass legislation that treats terrorism uniformly, whether it is perpetrated domestically or on foreign soil?

The US government's interpretation of international laws allows U.S. Armed Forces or law enforcement agencies far more latitude to take action against terrorists outside our borders than within our borders. There are 15 federal statutes referring to international criminal prosecution of terrorists and 17 or 18 domestic criminal statutes. U.S. citizens have significant civil liberties protection domestically, but that doesn't mean that law enforcement cannot interdict terrorist conspiracies. With probable cause and properly executed court orders and search warrants law enforcement officials can enter, search and seize, and subsequently prosecute domestic terrorist activities.

Chapter IV

Panel 4 — The Evolving Role of DoD in Homeland Defense

Introduction.

This panel reviewed the evolving role of the Department of Defense in Homeland Security. Panelists viewed the role of DoD from various perspectives, representing academia, the policy level within OSD, the Joint Staff, and one likely operational headquarters: Joint Task Force—Civil Support. Two common themes voiced throughout the panelists' presentations and subsequent discussion were DoD's supporting role as a resource to an interagency consequence management response and the need for a national homeland security strategy to be developed as an integral part of the National Security Strategy.

Dr. Seth Carus
Center for Counter-Proliferation Research
National Defense University

Let me start, as many people did yesterday and thank the War College and CSIS, and especially Frank Cilluffo for putting this on. It's a useful event and it's nice to get out of Washington every now and then to a nice rural, bucolic setting.

What I'm going to talk about in the next few minutes is going to differ radically from what you're going to hear subsequently in the sense that, unlike my colleagues on the panel, I have no responsibilities in this area. I don't have an impact on what we do except very, very indirectly. And so, I'm going to be talking a bit more at a strategic, philosophic level and less at a sort of practical nuts and bolts level, which is probably just as well because I could never duplicate the expertise and background of the other panelists. What I am going to talk about reflects some work that we've done at NDU—I've done it in collaboration with a colleague, Rebecca Hersman. Some of you may recognize some of her work in some of the slides I'm going to show.

This is a basic look at the role of the Department of Defense in consequence management. In the last year and a half to two years, we've tried to focus on the potential impact that consequence management missions have on military support to civil authorities, and on the ability of the Department of Defense to execute war fighting missions, and where those two missions come into conflict.

The one issue that I wanted to talk about in terms of defining homeland defense or territorial security is: What is the challenge that we are really trying to address? I want to highlight the fact that Asymmetric Threats are not limited to terrorists but could also include state threats. Coming, as I do, out of a community that focuses primarily on counter

proliferation and not counter-terrorism or consequence management, I have been struck by growing concern over the last five years regarding the potential use of weapons of mass destruction against the territory of the United States. There was a seminal study that some of you may recall, the CB-2010 Study (Foss-Downing Commission), that I think first highlighted this in a significant way, but our colleagues who do strategy in the Office of Secretary of Defense have become increasingly concerned about the issue.

For me, it's really disconcerting that those sets of thoughts only intermittently make it into the discussions about consequent management, which are tainted to reflect the relationship of that community much more closely to the counter-terrorism community. One of the things that I think we have to be careful about as we design solutions is that we want solutions that encompass both sets of concerns. I'm sure a lot of those solutions will overlap, but there are almost certainly going to be aspects of the solution that are unique, depending upon what the threat is. So, let me just close this part of my discussion with this very strong caution that, while we need to be concerned about terrorists, we should not limit our discussion of homeland security or homeland defense to terrorism and terrorists.

Let me talk a little bit about the role of DoD. There really are a couple of aspects of this problem. One relates to how the Department of Defense fits into the broader national context, who is in charge, and who does what. In other words, what is the division of responsibility, both between Department of Defense and the other agencies, and within DoD. The difficulty here is that unlike a great many of the other jobs that the Department of Defense does, this is not something that comes from within the Department. At the end of the day, the mission in this area is not going to be defined by DoD, it's going to be defined by our political masters, both the White House and the Congress. And, until we get the guidance from those entities, it's going to be very difficult for us to definitively determine what we should be doing in this area.

In addition, we have to be extremely sensitive about understanding where our capabilities fit in with the capabilities outside the Department of Defense, and we have to consider our role in the context of the other missions that DoD is going to have to perform. One concern that surfaced 18 to 24 months ago when we started looking at the role of the Department of Defense in consequence management, was the possibility that the diversion of resources to domestic events would essentially prevent the Department of Defense from conducting overseas operations. As many of you know, a lot of the specialized capabilities in this area are not very common, sometimes “onesies” and “twosies” even, so any diversion could have a significant impact on warfighting capabilities. That’s probably an okay thing if there’s no other possibility, but there are alternative resources that could be made available. It seems that we’re doing the President a disservice as Commander in Chief by taking options off the table and constraining him in terms of what he can do with the military. Additionally, we’re probably not doing the country much good if we’re limiting the ways the Department of Defense can be used.

Now, let me say just one thing on the “Who’s in charge?” issue. I don’t find very many people who believe that the Department of Defense should be in charge of this particular issue in any shape or form. The one aspect of the issue that I think tends to resonate the most is the notion that DoD should be in charge in cases of catastrophic terrorism. The event is so large that the normal existing mechanisms of control are simply insufficient. I don’t have strong views on that particular matter. I do believe, however, that the Department of Defense only has capabilities when it’s something that has been planned and exercised. We haven’t planned and exercised to do this particular mission. If, in fact, there is a feeling that we need to be able to do it, it’s only going to be real if we pick the right people, train them, exercise them, and provide mechanisms for them to be familiar with the kinds of resources and kind

of environment in which they are going to have to operate. At the moment, we really don't have that. What you're really talking about is a four-star level command capability and, while Joint Forces Command potentially could do that, I'm not sure if that's the case today.

Let me talk a little bit about resources. One of the things highlighted in the first presentation yesterday, and that has resonated about the research and the workshops that we've conducted, is the extent of the potential capability that's out there, outside of the Department of Defense, much of it often untapped. I think the DoD can take some credit for the improvement in those capabilities, for example, the work that was done on the 120 cities training program. If we're talking about a national problem, the resources that are in the Department of Defense, much less in government in general, are often a small fraction of what the nation's resources are as a whole. And, as I think we've seen in other context, there are ways of mobilizing those resources, including the techniques that were discussed yesterday morning, of mobilizing non-government resources for our government functions.

Let me highlight a couple of examples of how I've seen the issue transition over time. If you look back 4-5 years ago, and you wanted to have a gold standard diagnostic laboratory for biological agents, you would automatically go to the US Army Medical Research Institute for Infectious Diseases, USAMRIID, down the road at Frederick, Maryland. I'm not sure that's the case today, in part because of the work USAMRIID did working with the Centers for Disease Control (CDC), and in part because of a lot of investment of resources in CDC. I suspect the best diagnostic laboratory for biological agents in the world is now down at CDC. That's not to downgrade the Department of Defense and USAMRIID; it's still a world-class facility, but it's not unique the way it was a couple of years ago. And that, I think, is a very common trend. As we brought our civilian counterparts up to speed, we're taking advantage of a lot of capability that was latent but not accessible. In fact,

even if you go back a few years and you look at some of the Anthrax hoax incidents, you'll discover that in communities that were well organized for counter-terrorism, the local FBI agents knew that there was a hospital that they could send a sample to and, in some cases, did. They sent a sample locally. They didn't have to fly it off to USAMRIID. With the kind of laboratory network we have now, USAMRIID is back to what is a more appropriate role of being a gold standard certifying confirmation facility.

Speaking of USAMRIID, there's another point I'd like to make about that. I think those of us in the Department of Defense who know USAMRIID are very proud of its capabilities, it is a unique institution, but it's also an extremely small institution and I think there's a budget plus-up so it's about a 40 million dollar a year program. By comparison, the National Institutes of Health decided to throw some of it's money in an off-handed way at bio-terrorism, and is going to have a \$95 million a year program for 2002. The point is that the scale of resources are available outside the Department of Defense are, in some cases, orders of magnitudes larger. While we've gotten a lot of bang for the buck, we should realize that we've been getting by on pennies in an area where our civilian counterparts are used to spending not only dollars, but billions of dollars.

We have talked a little bit about how we should be thinking about homeland defense. In general a lot of our thinking about homeland defense-type issues has been seen as a total zero sum game; that any resource we divert from Department of Defense in a military mission is something that is not going to Homeland Defense, is totally lost, and has no utility for us. And, as a result, I think a lot of people have viewed DoD as being unresponsive in many cases, and that has led to pressure to have particular solutions like the WMD Civil Support Teams which may not, in fact, be the right answer in terms of the level of resources invested. The problem with viewing Homeland Security and the Department of Defense as a competitive model is that if we

aren't careful we're going to be forced into doing some things that will be putting overseas missions at risk. But we're also going to be ignoring some parts of the homeland defense mission. In fact, I think we have ignored some parts of the homeland defense mission that are critical to the Department of Defense and its operations.

Going back to the work that was done about five to six years ago in the CB-2010 study, they highlighted the fact that our power projection capabilities are an ideal target for adversaries using chem and bio weapons, and that it's not just going to be overseas but it could be domestically. That is an important insight; because what it says is, that part of the problem is ensuring that Department of Defense facilities operating in CONUS if they are attacked, don't go down, especially those that are really critical for power projection. I expect many of you here are aware of the good work that was done at Fort Bragg and Pope Air Force Base working with Soldier and Biological Defense Command in a whole series of studies and exercises. What I think it highlights is that there is a lot that an adversary could do that would disrupt time-urgent overseas deployments, but there is a lot more that we can do, not necessarily extremely expensively, to mitigate those dangers.

If you look at that problem, it is clear that the issue of installation preparedness is, in many cases, a preparedness issue, but it's a 'two-fer' in a sense that investments that are made in installation preparedness are also investments that are available to the broader community. If you take the fire department here, all of the installations have some kind of mutual aid agreements with the local communities. The problem is, we haven't put all of our installations through the same kind of preparedness programs that we put the cities through and, as the folks up at Edgewood Arsenal would admit, for a long time they often did not invite military installations that were in the communities to the city training program. The advantage to doing this is that in many cases the capabilities that we're investing in are the ones that do not deploy. They are basically assigned to the

facility, so that you have an asset that at least is available in local areas that you can contribute but also has a real function in the Department of Defense.

Let me conclude by going over a couple of bottom line issues. One, right now we're in a transition period and there's a lot of good work being done within and without the Department in terms of what we should be doing, and the Joint Staff is doing some excellent work. Others are looking at the issues as well. However, at the end of the day, you really have to wait for political guidance. We have to continue to sustain the kinds of activities we have underway and, once we get political guidance, we really need to sit down and develop a strategy of how we implement that guidance. Up until now, we sometimes jumped ahead and spent resources before we knew exactly how that fits into our overall strategy. And, finally, in the near term, I would argue that what we should be doing is focusing on the missions that have clear Department of Defense implications, where we have a role. Some of them are sort of obvious, others less so. We need to focus more on installation preparedness. There is a lot of good work now being done in this area: the Marines are doing work, the Army is doing work, and the Navy is doing work. I assume the Air Force is but I don't think I've been briefed on anything they have done in that area.

The difficulty we have is that we are still at the beginning of the discourse on this issue. We haven't even decided really what it is that we're trying to cope with. As I trust I have made clear, I feel strongly that we should continue to focus on threats from other nation-states. A lot of discussion yesterday was focused just on terrorism. Those two may not be in conflict, but certainly they need to be brought into consistency. In a Department of Defense context, I still don't think we have an intellectual framework for serious consideration of the issue. As you can tell from my own thinking, I think there is a strong case to be made that DoD doesn't have a large role in this area, but that's not the only possible solution. We have to make sure

that we come up with something that meets criteria in political acceptability, long-term sustainability, and deconfliction with other missions that only the Department of Defense can do.

Finally, there's a high risk in an area where resources are limited. If you are not careful, you're going to rob Peter to pay Paul. You are going to take resources away from the Department of Defense's overseas missions—missions only it can perform—to do things at home that other agencies may be better suited doing. So, from that point of view, I think you need to be cautious; not because homeland security isn't important and doesn't need to be done, it's just that this is a much broader mission than most other things that the Department of Defense gets involved in. It's a mission that other agencies may, in fact, legitimately have a broader role. In fact, that they are not stepping up to the plate now doesn't necessarily mean that we need to fill the breach, but rather that somebody has to make sure that those other agencies do what they are supposed to do.

Colonel Robert Ditch, USAF
Joint Task Force – Civil Support
US Joint Forces Command

I was asked by General Lawlor to represent him today and offer a short discourse on how Joint Task Force – Civil Support (JTF-CS) provides a significant capability to the United States response to terrorism incidents or accidents involving Weapons of Mass Destruction (WMD). First let me say that I am not representing our parent command headquarters, United States Joint Forces Command, but only JTF-CS, a national resource that has been planning, training, and deploying quarterly to the far reaches of our nation, exercising a response to an expected catastrophic mission, which we hope will never occur. That being said, we consider such an incident in terms of Biblical effects. Too often people think that another Oklahoma City-like incident would generate a kind of response that JTF-CS would respond to, but this is not the case. In fact, instead of discussing weapons of mass destruction, we would rather focus on considering planning for weapons of mass effects. It is the size and complexity of the effects that will drive the overall response and the categorization of the definition of the catastrophe, and we would liken the effects to that of Gettysburg and the amount of those effects that our nation felt as far as deaths and wounded.

We talk about Joint Task Force-Civil Support and our focus of response based upon these effects, and it is *Effects Based Planning* that defines our vision for response. To do so we first have to be aware of our *Centers Of Gravity*. There are two centers of gravity which we focus on in our planning and response. The first and foremost is the *Public Trust*. If there is a catastrophic incident that occurs in our nation, our efforts will be the key to gaining and sustaining the public trust in its government through a rapid and deliberately tailored response by its military. Everyone that

I have had the opportunity to discuss this with and to get their perspective has ratified this thesis. I say this because I travel all around the United States teaching and giving presentations on this subject to many first responder groups. In my other life, the one I spend after duty hours, I teach fire chiefs and fire fighters. I've been a fire fighter, EMT, and fire/EMS district officer myself for over 25 years and I teach for the State of Virginia and the National Fire Academy, as well as the Department of Justice. For the last seven years, I've been teaching, writing and developing courses on emergency response to terrorism and I can tell you the community out there is frightened. They are very frightened! In addition, many of them are very confused. There is a certain amount of distrust with what's happening, especially when you consider that approximately 65 to 85% of our nation's fire and pre-hospital EMS services still reside in the loyal entities of volunteer services. Over 75% of the fire fighter/rescue personnel in our United States are still volunteer, and somewhere in the neighborhood of 80% of our emergency medical service response agencies are volunteer. This is less of a problem in metropolitan and urban settings, but is pretty much the standard in the rural United States regions.

There is a lot of concern because infrastructure is not there for the kind of missions that we talk about. There have been discussions about the value of the Weapons of Mass Destruction-Civil Support Teams (WMD-CST) because of the large HAZMAT capabilities that exist possibly in the regional centers. The problem is that the regional city teams do not have the mobility or depth to cover very far from their primary response areas. They just can't reach out. Many have openly stated that they don't have the capabilities of deploying more than 50 miles beyond their center core, and then only with one 12-hour shift of personnel. So this sustains the need for capabilities that can be provided from the WMD-CSTs as well as other Department of Defense WMD response teams. Unfortunately, these teams do not offer direct action capabilities, as they really only offer

identification, surveillance/monitoring and advice for the local incident commander. They do not offer the same capabilities of a robust major city/regional/state staffed HAZMAT team.

Back to Centers of Gravity. Again all of our response considerations have to be aligned with the goals derived from our centers of gravity. As mentioned before, the first is attaining and sustaining the *public trust*, the second is to try to *target the effects of the incident*. The effects offer us an aiming point and a reference point for administering strategies/tactics and finally resources. It is those effects that translate into harms, which affect our public. Effects can be mitigated against, and there is a right way and many wrong ways to approach the mitigation actions for minimizing or eliminating those effects.

First we try to do that through a process that I was taught a long time ago and have been myself teaching for years. This concept, first developed by a well-known HAZMAT specialist/instructor named David Lesak of Pennsylvania, is known as the GEDAPER process. The GEDAPER process recognizes that the first and most important aspect of any response is to gain situational awareness by **G**athering information. As any military responder/planner will tell you, you don't just leap into a crisis environment until you have as much situational awareness as you can gather. As a result, the first job of JTF-CS in any response is to *Gain Situational Awareness*.

The next steps are to **E**stimate the potential cause and damage from the effects, **D**evelop strategies for response, **A**ssess tactical options, **E**valuate our progress, and finally (and constantly – over and over again) **R**eview our own course of response. This is the universal GEDAPER process of response to hazardous environments and is very applicable to WMD incidents. We at JTF-CS apply this process through the employment of scouts/liaison officers (LNO) at key decision-making nodes at and around the incident site/region. Concurrently, we model the effects and

plan for our response through the application of over 120 city/regional analysis products we are constantly updating.

The real challenge comes in providing for a deliberate response and not one that is out of control. Too often people ask us, “*How fast can you respond?*” Well, that’s not the question that we want to answer. “*How quickly can we control the massive convergence, which we have to face?*” is the first issue that has to be defined. In any kind of disaster or response, you are first met as a command and control entity, with the design of control and convergence. You try to control the forces that are going in to mitigate against the effects that are preceding the harms that are felt by the population (good convergence). These harms are defined in terms of thermal, radiation, asphyxiation, chemical, etiological, and mechanical. In addition we must address the psychological aspects, which may prove to be the greatest vulnerability over the long term. To control that convergence you have to insure that a discipline of response is followed. As an example, you can talk to many fire chiefs and they will tell you that the last thing they want is a cast of thousands showing up in front of a hotel if they have a high rise fire. They would rather stage and control the flow so they can manage the effects that are happening on the 13th floor. Part of this response is the target determination process and pre-fire planning, which they do prior to the incident and later employ at execution. This is what we at JTF-CS call *Anticipatory Planning through Threat Analysis, Target Analysis, Effects Planning, and Modeling*. Through the analysis, planning, and modeling process, force structure and the timing of its employment can be determined in order to maximize effectiveness and minimize any waste or duplication of effort. That analysis has to consider the first responders as well as their regional/state mutual aid capabilities, not forgetting the great capabilities offered in the State/Regional Task Forces, the National Guard, and other first-called federal response teams.

So, it's not a matter of how fast can you get there, it's a matter of how fast you can control or contribute to the management of the convergence of the local, state and federal (including military) response. In the case of our response, when we get involved, it is how quickly we can sustain the immediate (proximate) military response; those that are pseudo-immediate responders (because they feel a need to respond— without a validated request) to the scene, and those other requested DoD responders that are employed from a validated force list. Part of that process is in trying to develop an anticipation process. This is because you are not going to be invited to just come rushing right in (like the cavalry) simply because something has happened. In fact, we don't want to come right in just because something has occurred. We should only consider a response when the size of the event and complexity of the effects become so much that the presence of military employed resources, forces, and skill sets are warranted. In addition, the size and complexity of the effects should require special management considerations to require such a national command and control resource. This special management capability offers effective convergence management and specially trained, effective command and control of a WMD military response not available by any other organization. And that's where the JTF has its role and responsibilities: to control the *mitigation of the effects*, which would hopefully translate into sustaining the *public trust*.

In that anticipation, we look at the very strategies that it takes to manage such effects. That's why the development of CONPLANS from the Joint Staff through Joint Forces Command to the execution headquarters, like ours, is so important in the institutionalization of concepts and tools for response management. Right now the family of 0500 CONPLANS is under development. In supporting these plans we are separating them out at the JTF level into two separate execution documents: Volume I - for biological effects, and Volume II - for Chemical, Nuclear, Radiation and High Yield Explosive effects. We separate the plan into

two volumes because the strategies toward the mitigation of those type effects are entirely different. When we look at bio, the strategies are medication, vaccination, and, most importantly, biological containment. The presentation and geographical profile of the event will also be much different between bio and other incidents. And if you cannot plan for these differences in strategies and in the application of tactics and resources, then you're going to be trying to play catch up the whole time. This will precipitate a situation where you will certainly lose the public trust and never catch up with the effects/harms.

To profile such a situation, let me use an example—a good news example. I just read an article dealing with the fact that there has been a loss of the public trust in our own ability to maintain the strength of the public health services throughout our nation. In the article, the author reflected on a case in 1947, which happened to be the last smallpox outbreak in the United States. It happened in New York. An individual came from Mexico City, displaying symptoms the night he left Mexico. It was estimated that he traveled through 29 states in four days, and presented in New York City. Even though he felt sick upon arrival, he didn't go to the hospital but decided to tour throughout New York for a number of days, contagious with smallpox symptoms. Then, when he finally decided to present, he was misdiagnosed at the first hospital. Continuing to worsen in condition he presented at a second hospital where he was finally diagnosed with smallpox, but he died four days later. This situation could have proven disastrous, but the massive public health service and private clinic response (augmented with large volumes of military-provided vaccines) immunized over 6 million individuals in a matter of a weeks. The author and many others question whether we could respond that way today. Fortunately, at that time much of the population at risk had been vaccinated for smallpox. They are not sure the public health service could respond as quickly, and they use as an example the recent West Nile Virus outbreak and the way in which the public

health service managed it in New York. The system was employed in an outstanding manner, but it identified many problems that would have been exacerbated by the contagious nature of smallpox.

So, the whole idea of strategies has to be looked at when we consider managing these types of effects. That's the reason why we separate them out. And again, as we look at those strategies, we first have to estimate the *potential course and harm* of those effects, and what harms we are going to generate so we can focus on the appropriate strategies, apply the applicable tactics, and then employ the resources necessary to mitigate against the effects. When considering those strategies, we have to evaluate again our options and what resources we intend to apply. The tool most successful in this planning is to have a standing list of deployable named units and teams identified in a list of forces phased over time into the operation. This is what we in the DoD call a Time Phased Force Deployment List (TPFDL). At JTF-CS we have such a force list of specialty teams and general purpose units. At this time it is unsourced, meaning no units are actually named against it, but that day is coming soon. It does provide for a list of Department of Defense capabilities for managing a consequence management response to a WMD. We have such a list because it is crucial we have one at two o'clock on a Sunday afternoon when an incident occurs. We just don't have the time to play catch up when lives are at stake.

That's basically the situation in planning where the JTF is at right now. We have gone beyond the in-processing phase. JTF-CS exists—as an institution, a national resource, and the only joint task force of its kind. We have recently moved into the institutional planning phase with the maturation of planning documents and deployment tools. These include, but are not limited to, the recently signed out Joint Chiefs of Staff Instruction translated into the CONPLANs, down to our execution CONPLANs, and the sourced/executable force lists and operation orders. This is the lineage of continuity which will characterize a

deliberate planning process focused on a successful mission execution when the call comes. You can't break that continuity. Too often individuals want to write other concepts and documents that outline how the response should be without considering the continuity of the planning process. But unless there is a clear chain or audit trail, back to the policy and accepted concepts, the execution is not going to be very effective. As a result, we're trying to keep that in line and I'm trying, as the J5 (planning chief) of the JTF, to make that happen. We have to do that because there are a lot of resources that can be applied that exceed those available within the local, state, and the federal response. There are a lot of HAZMAT capabilities out there that exceed our own NBC capabilities, as far as chemical response, but that's apples and oranges when we talk about the differences between NBC and Hazardous Materials philosophies. We cannot forget that the DoD still owns the largest number of certified hazardous materials technicians and trainers in the United States. We still have over 5,000 HAZMAT technicians that are trained and deployable individuals in our own government, and somewhere in the neighborhood of about 1,800 trainers and instructors of hazardous material technicians that are used around the United States to teach at the HAZMAT awareness, operations, and technician levels.

Our medical services are in a real weak situation. Our pre-hospital care capabilities in the metroplexes and large cities/towns are fully paid career responders, but the remainder of our EMS, our pre-hospital system, is primarily volunteer. These are all well trained individuals when it comes to trauma and advanced life support, but that is not the case for response to WMD incidents. They are the best that America can offer in bravery, spirit, and initiative. It takes an incredible amount of drive and stamina to become and stay a medical first responder in today's high-tech, fast paced, pre-hospital care environment. The challenge with volunteers is sustainment. All WMD events are not single hour, day, or days events. They will become protracted

events that will take weeks, if not months, to come to resolution. I am genuinely worried that our lack of depth in this area will cause problems for us in the future.

The hospitals are the weakest link. They are private industry. What they used to offer, a very elastic and flexible expansion capability, no longer exists. We talk about the fact that NDMS, or the National Disaster Medical System, is capable of absorbing a large number of patients. And that is correct, especially in the areas of trauma, neuro, thoracic, head trauma, spinal injury, and other surgical capabilities. But these capabilities offer very little when it comes to biological agents, and in some cases chemical and nuclear casualties, especially if we consider chemical burns, contagious diseases, or protracted radiation sickness care. As an example, in order to manage contagion you must have open bay wards in order to maximize your nursing services and your manpower. Those wards do not exist in our hospital system infrastructure. The elasticity of our bed expansion is so low that a couple weeks ago we did an analysis of one large U.S. city and found there were only 21 beds available in the entire area. As an active volunteer firefighter and medical first responder, I can tell you that a weekend does not go by when hospitals throughout my region declare diversion for trauma only, which means there are no beds available to absorb any sick or injured. That elasticity has gone away with committed energies of managed care. Hospitals that maintain any really staffed and equipped expansion capability will go out of business; they will not last unless they receive augmented funding to maintain those expansion/surge capabilities.

In conclusion, we at JTF-CS are constantly viewing our nation and its capabilities in anticipation of what requirements could very well be translated through a request for assistance. We cannot shove anything through the response pipe unless we are asked to respond. But we have to be leaning forward in such a way that we anticipate the requirements, translate them into employable capabilities, which can be postured and aligned in such a

way as we control the convergence into a catastrophic incident site. We can better manage those capabilities because our preamble is to *attain and maintain the public trust* by saving lives, stabilizing the situation, and *controlling the overall effects* being experienced.

Postscript

The events and resultant effects that occurred on 11 September 2001, while tragic and traumatic to our entire nation, only validated everything which I spoke of during the Consequence Management Symposium only three weeks before. Too often I hear individuals say, "Things have changed since 9-11." For those of us who have been teaching the concepts of Emergency Response to Terrorism (ERT) incidents and Weapons of Mass Destruction response planning for such incidents, I can tell you that things are starting to change, primarily in the attention being paid by many essential players in the planning process. The basic principles of planning and response to such events were only validated on that fateful September morning. Although my perspectives on these types of events and the planning for them has not changed, I hope things will change as far as more cooperation and interagency alliances and trust in the response to terrorism incidents. I had the opportunity to respond to and work for a few days at the New York City Interagency Operations Center, initially established near Ground Zero. The events, effects, and overall response to the situation did not surprise me and what I witnessed did not change my perspectives at all. The one thing that did surprise me, although it should not have, was the spirit, cooperation, and energy displayed by everyone in the first response, the sustainment and logistics employment, and command and control activities. I just hope these flames are sustained over the next few months and years, because I am afraid we are just getting started in this new effort in the War Against Terrorism.

Colonel Tom Matthews, US Army (Retired)
Joint Operations Division
The Joint Staff

I've spent the last three years on the Joint Staff as Chief, Western Hemisphere, which meant Central/South America, which meant—as this evolved—Joint Forces Command and SOUTHCOM. Two of the three geographic combatant CINCs have domestic equities, U.S. territories, states and properties, and this discussion that I'm going to have with you today is primarily only about domestic ...although I'll make a comment or two about foreign. In as much as this is a “growth area,”—a new mission area if you like—most of those actions fell on my desk. Today I have a cell in current ops on the Joint Staff, in J3, and we are writing and soon hope to have signed the Chairman of the Joint Chiefs of Staff Special Instruction for CBRNE. Following that, we hope to have the CONPLAN developed within a month. That's what I'm doing right now. The cell that I have is the WMD cell for Consequence Management, domestic- focused primarily; although, if there's a foreign issue, we'll probably be handling it as well.

This is additive to the other current operations business; perhaps the best way to describe our function, therefore, is to tell you what we don't do. We don't do current ops. On the Joint Staff, the J-3 is organized into four sections that deal with military operations around the world every day. Those folks are the “current operations” sections and are dealing with pop-up targets (25 meter targets, as I like to say), day in and day out. Quite frankly, the current ops folks don't have time to come to a symposium like this. They are too busy handling today's problems. As a result, we have the need for this additional cell to stay plugged into the inter-agency community, work plans, come to symposiums like this, and try to articulate what the Joint Staff is doing and where we are going with this thing. That's what this new cell in J3 is all about.

Figure 4-1 provides a depiction of how we have come to where we are. It's a busy slide but let me talk you through it. It's a function of threats that we're talking about. If you look in the box in the upper left hand corner of the slide, you'll see the "drivers" of the issue; drivers that will always have to be addressed, and drivers which (by the way) are changing. The "lanes" for the drivers are depicted down the left side of the chart, in the form of Interagency work, the Office of the Secretary of Defense, the Joint Staff, and the CINCs. If there is law, policy, money, organizational things happening, they are going to have to happen through these. If we are going to adjust law, policy, money, etc., it will also have to go through these.

If you go back in time, starting in the 50's through the 70's, our military support to civil authorities was a function

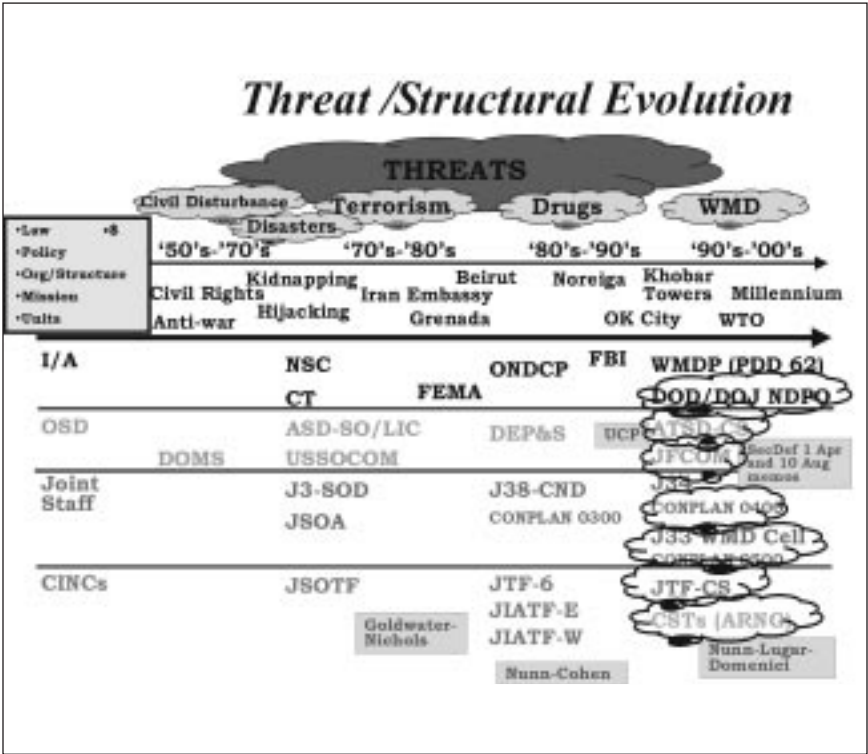


Figure 4-1. The Threat and Response Evolution.

of internal problems such as civil disturbance and riots. At that time, the Secretary of Defense gave the Secretary of the Army executive agency responsibility to respond and assist in those kinds of matters because it was primarily about boots on the ground—and that was primarily an Army consideration.

Moving across the timeline into the 70's, we were introduced to a brand of terrorism we had never seen before: no one had ever seized our embassies; no one had ever hijacked our planes. Because of that new kind of threat, we reorganized, laws were passed, money was appropriated, and the inter-agency adjusted. New offices were established in the Joint Staff, and we set up our counter terrorism forces to respond to the new environment. For the most part people do not do these sorts of things anymore because we have developed the tactics, techniques, and procedures to deal with that threat and that problem. This is not to say there will never be another high-jacking or another assault on an embassy. But we have at least prepared for those eventualities.

Continuing along the time line, you move into concerns centering on drugs. We declared war on drugs, adjusted the infrastructure to address the concern, and now have ongoing operations to counter drugs.

Moving along the timeline we encounter the Khobar Towers attack. Out of that incident we strengthened our focus on force protection, dedicating elements of the Joint Staff, specifically the J34, with planning for facility security and establishing guidelines and templates toward that end. Naturally, parallel offices in OSD were stood up about this time to help in addressing the problem.

You move right onto the WMD threat, and there's a little bit of a nuance change here. Up until now, most of our attention was focused against people doing bad things. The WMD business has forced us to shift that focus to the weapon or agent those bad people choose to use. So now we are focusing not only on the terrorist event, but the

consequences of the agent or the device the bad people have elected to use.

The agencies designed to address the threats are in a state of flux, as illustrated by their “cloud” status. For instance, last year the clearing agency for WMD incidents in OSD would have been the Assistant to the Secretary of Defense for Civil Support (ASD-CS). Today, that office is gone, and its responsibilities are rolled into the office of the Assistant Secretary of Defense for Special Operations and Limited Intensity Conflict (ASD/SOLIC).

That brings us to the next slide (Figure 4-2) indicating where we are and what we’re doing today—along with a little of where we want to go.

The slide (Figure 4-2) depicts a little bit of a history lesson from the last two years. Our big driver e was the

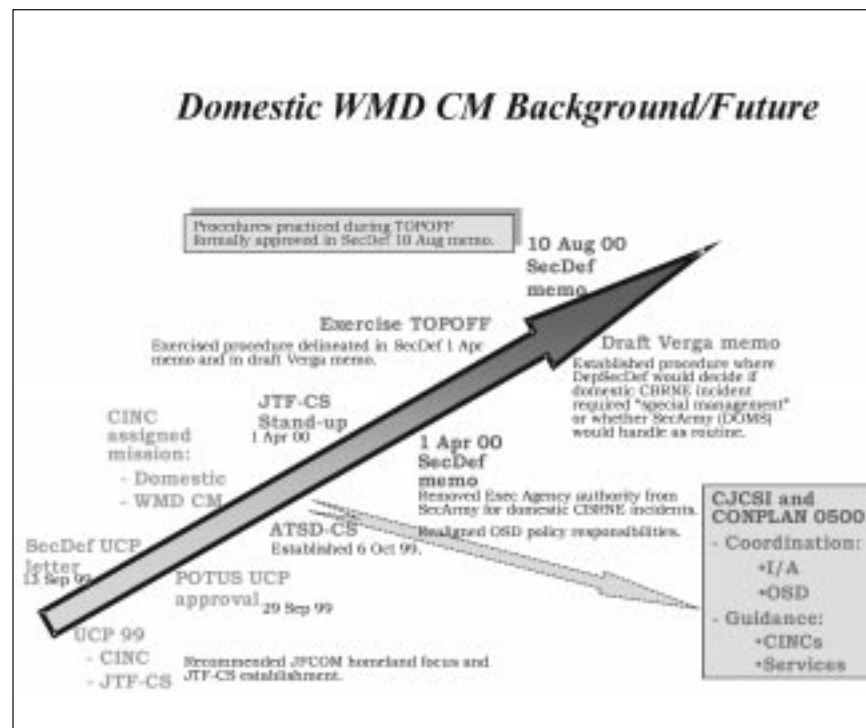


Figure 4-2. WMD Consequence Management.

Unified Command Plan. As some of you know, the UCP is how the Chairman of the Joint Chiefs of Staff frames how he envisions the Department of Defense will approach roles and missions in the future. The Chairman passes his vision through SECDEF for approval, who then sends it on to the President. This process occurs every two years. For UCP 99, however, we had a first: SECDEF inserted a two-page cover letter that specifically said, “Mr. President, we know you are concerned about this terrorism issue. We are reorganizing to deal with it. We’re setting up a special office at my level at OSD. We are changing the United States Atlantic Command to the US Joint Forces Command. I’m telling him to have a standing JTF for Civil Support.” Now, Joint Task Force-Civil Support (JTF-CS) is a command and control headquarters only, with no assigned forces. And some say we need to have assigned forces associated with it. In fact, there was an opportunity in 1999 to do just that; but powers-that-be, for whatever the reasons there were at that time, elected not to affect such assignments. Still, the same people contend it is unacceptable to “ad hoc” a response or throw together a JTF at the time of an occurrence, so now we have a CINC focusing on it, with a command and control apparatus that thinks about this full-time. This is not your standard military mission, as everybody knows. So, you want people who have thought about the mission, done some planning on it, exercised the plan, and devoted some specific training to prepare before an event occurs. All of these things taken together led to the CONPLAN and CJCSI 500 Directive from the Chairman.

As a result of UCP 99, there is some confusion out there relative to the DOMS (see Figure 4-3). The Department of the Army’s Military Support Division exists today, and does everything they have always done and will continue to do until somebody tells them differently. The changes that came out of the UCP, however, point to a transfer of parts of the DOMS’ responsibility to the Joint Staff. Previously, the Executive Agency for Military Support to Civil Authorities (MSCA) resided with the Secretary of the Army. In the past

this focused primarily on the military support to lead federal agencies in response to catastrophic natural events—floods, fires, hurricanes, and such. This did not include WMD events, however. Events of that sort will be the responsibility of the Secretary of Defense, as is any warfighting mission. DOMS has never dealt with counter-terrorism, counter drug, and now, with these changes, will not be charged with Consequence Management. So, that's all that's really happened to date. It is the modification for this area that has become so important.

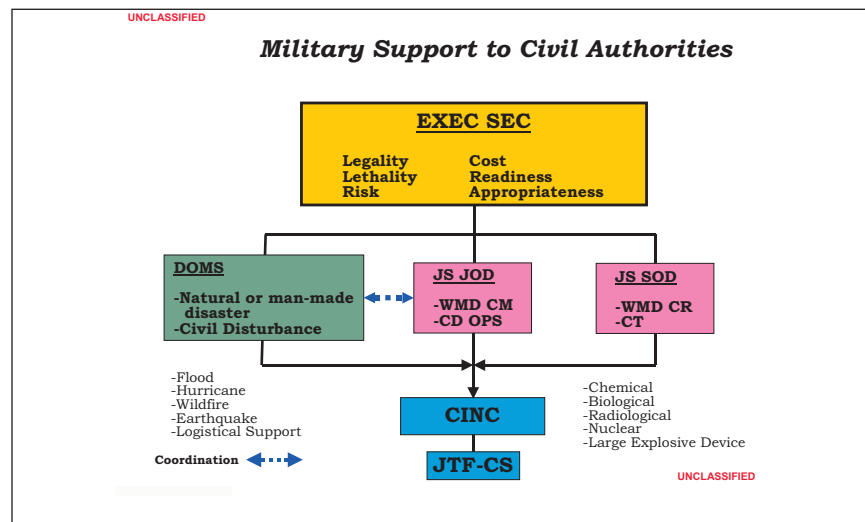


Figure 4-3. Military Support to Civil Authorities.

Now, there's a primary reason for that. Most of you are familiar with how state and local governments obtain support from the Department of Defense. All I want to point out is another way to frame this for you. These three boxes lay out the kinds of missions handled in the past at DOMS, the Joint Staff Joint Operations Directorate (JOD), and the Special Operations Directorate (SOD). The JOD takes care of conventional issues writ large—the SOD, the unconventional—so we shouldn't be surprised at seeing JOD overseeing consequence management and counter-drugs, and SOD riding herd on crisis response and counter-terrorism. The point, however, is that if we are

talking about responding to a WMD event, whether CM or CrM, the Joint Staff—not DOMS—is handling it.

And by the way, does everybody here understand that the Joint Staff chops on every order that DOMS cuts, before it goes out? It's probably important that we understand that in order to understand the collaboration necessary between DOMS and the Joint Staff in balancing the competition for resources in responding to civil needs. So, we at the Joint Staff monitor the requests, most of the time exercising a “silence is consent” approach, with little to no problem—until we hit a resource constraint. You designate a CINC, off goes the JTF (in this example, the JTF-CS), and the required support is provided.

The reason for this adjustment away from DOMS to the Joint Staff has to do with what you see in Figure 4-4 the Principals and Deputies Committees (PC/DC).

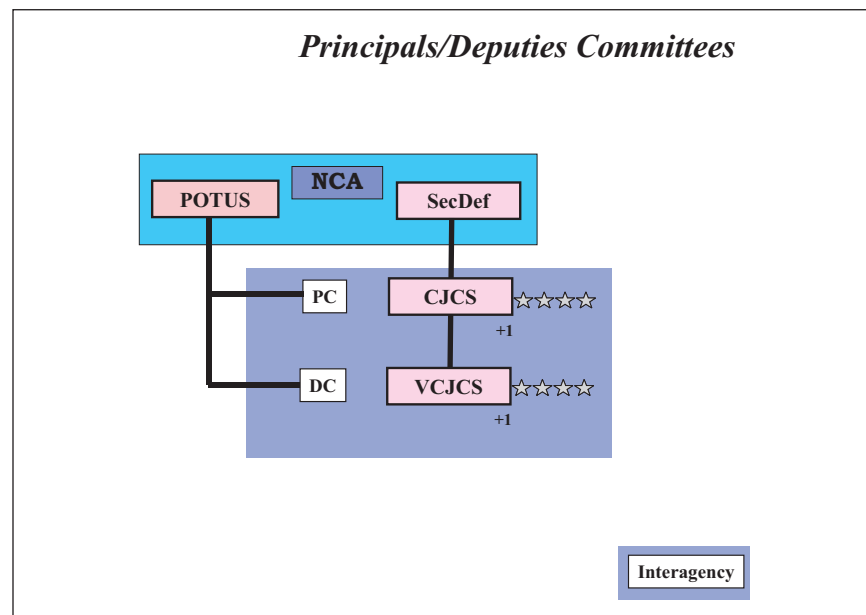


Figure 4-4. The Principals/Deputies Committees.

The President or the Vice President can call a Principals Committee meeting . When called, the regular attendees of these meetings are the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Chief of Staff to the President, and the Assistant to the President for National Security Affairs (who chairs the meeting). When the issues to be discussed include the military, the Chairman of the Joint Chiefs will attend. Among those of us who *don't* go to these meetings are the Service Secretaries and the Service Chiefs. And therein begins the reason for the shift from DOMS. In spite of the superb job DOMS does as the Secretary of the Army's agent in responding to natural catastrophes, what you have is a service running the show under a service Secretary. If this disaster becomes a "man-made" event, however, the expectation of the President's direct involvement will be there. National and international attention will lead to a media frenzy, the demand for the right people to be talking to instill confidence— to indicate things are under control—will be tremendous. To be frank, that's the Principals Committee's business. Obviously, the military will remain in support of the lead federal agency. That doesn't change at all. But whatever we are doing, those PC/DC discussions will be going on, framing and shaping what we're doing. We will get our directions, and they will get their responses, directly. The Deputies Committee also serves as a sub-cabinet interagency group to consider national security policy issues, mainly screening those issues that will be referred to the PC. Their regulars include the DEPSECDEF, the Under Secretary of Defense for Policy, and the Vice Chairman of the Joint Chiefs... but still no Service Chiefs and no Service Secretaries. So the situation remains the same.

Setting this in a practical framework, (see figure 4-5) JOD responds to deliberate or intentional acts, and DOMS responds to naturally occurring or unintentional acts. If there is an individual behind the event, with bad intent and who uses some CBRNE agent, we label it as a terrorist act. If a nation has sponsored or executed the event, we call it a

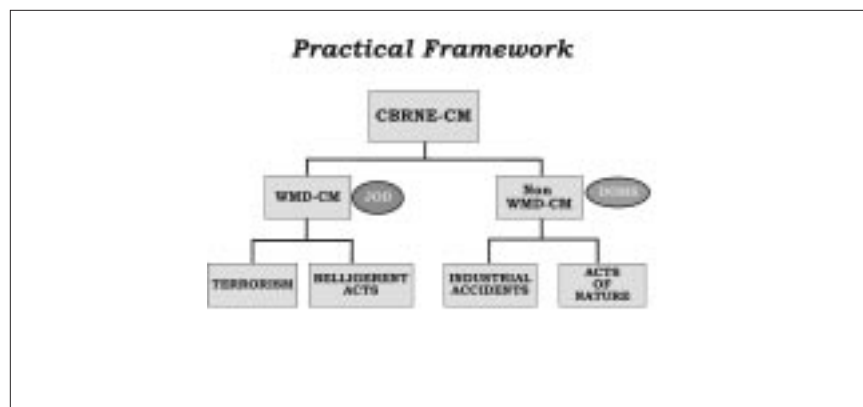


Figure 4-5. Practical Framework for DoD Consequence Management Responsibilities.

belligent act, which would effectively amount to an act of war. If the event is unintentional, such as the industrial accident or “Act of Nature” we have listed here, there are still “massed effects” we will have to respond to, but they will fall under the cognizance of the DOMS. It’s not hard to imagine events like these: at Three Mile Island, no one purposefully went out and tried to do something...you wouldn’t brand it terrorism...and the equities involved in determining whether it was a criminal event—the need to get the evidence and prosecute—did not exist. Similarly, last year we had a situation with wild fires out West, in which the Los Alamos Research facility was threatened. As many of you know, there are materials in there that really sparked our attention. This natural disaster could have led to second and third order effects that could have rocked the region. It may not be the highest probability by way of a threat, but one that did exist. On the one hand, these kinds of events may not immediately require action from the Principals or Deputies Committees, but may grow to the point that they will. And here’s a kind of gauge for you: if the PC/DC gets involved, the Joint Staff will likely be taking over the issue. If it doesn’t (and we are not dealing with an “intentional event”) DOMS will probably be running the show.

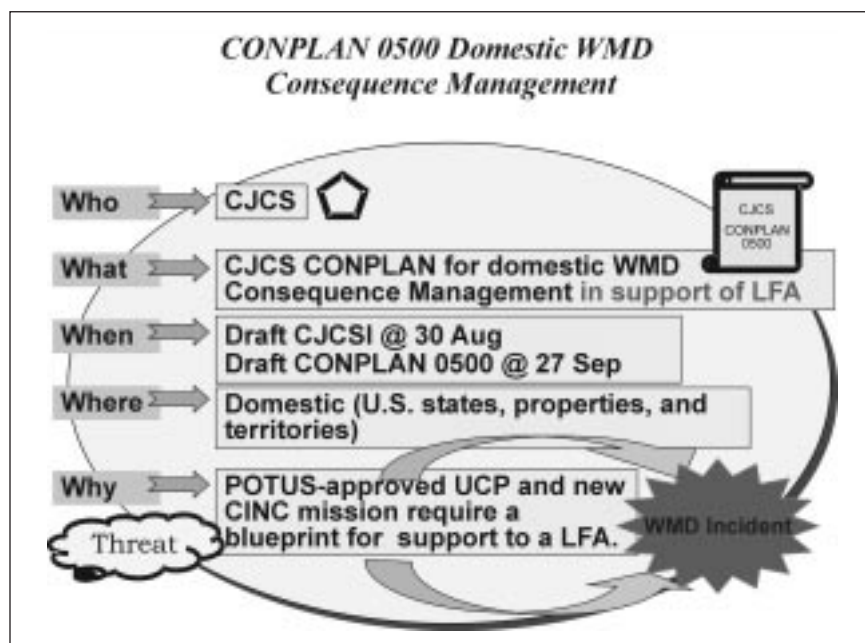


Figure 4-6. CONPLAN 0500.

In conjunction with all of this, we're doing a CJCS Special Instruction and a CONPLAN, as depicted in Figure 4-6. Many of you are familiar with this; we've been working on it for a year, with the UCP guidance. The purpose of the Instruction will be to provide guidance and implementation instructions for the conduct of domestic Weapons of Mass Destruction Consequence Management (WMD-CM) operations by U.S. military forces. So doing, we hope to provide a starting block for the forces to prepare for, deter, and respond to the effects of a Weapon of Mass Destruction.

The objectives of the instruction are pretty straightforward. First, it establishes the charter for CONPLAN 0500, describing policy and guidance to facilitate a rapid Federal response to a potential or actual domestic WMD-CM situation. Second, it establishes a CJCS instruction to complement and augment Federal plans to execute a cohesive Federal response. And third, it will provide information to DoD and its interagency partners, and

guidance to the CINCs and Services, regarding these types of support to the Lead Federal Agencies (examples of which are shown in Figure 4-7). The instruction and the ensuing concept plan is designed to work in concert with the Federal Response Plan, the National Contingency Plan, the Federal Radiological Emergency Response Plan, and the United States Government Contingency Plan. You'll note that these are all focused on Domestic response. CONPLAN 0500 *does not apply* to foreign consequence management operations.

Obviously, our plans have to feed into, and dovetail with, the interagency plans. We've had discussions about what plans are out there, how many, etc. To be honest, some of those agencies don't have plans; so, our plan has been developed to feed into the ones they will eventually build, in as orderly a fashion as possible.

Figure 4-8 is inserted here to remind everybody that we are dealing with stuff worldwide. We have different focuses; the Combat Commands have different focuses; three of



Figure 4-7. Lead Federal Agencies.

those Commands have U.S. territory states and property; and they also have foreign countries of concern with accompanying concerns about foreign consequence management. The military today has a responsibility to respond as a supporting agency when called upon to help with problems concerning U.S. citizens. Coming out of the starting blocks, we do not have a *responsibility* to do *anything* if somebody calls in response to an international situation, other than something involving our installations. If we can help locally in a foreign country, great; we'll do that for humane purposes. If we provide anything approaching a major effort, it is a political decision. We are not signed up to any international plan. There may well be political decisions that drive our engagement with Country A or Country B, but immediately you get into legalities and funding and who's paying and the like. There are mechanisms and apparatus that address all that domestically, of course; but there is no means of transference to an

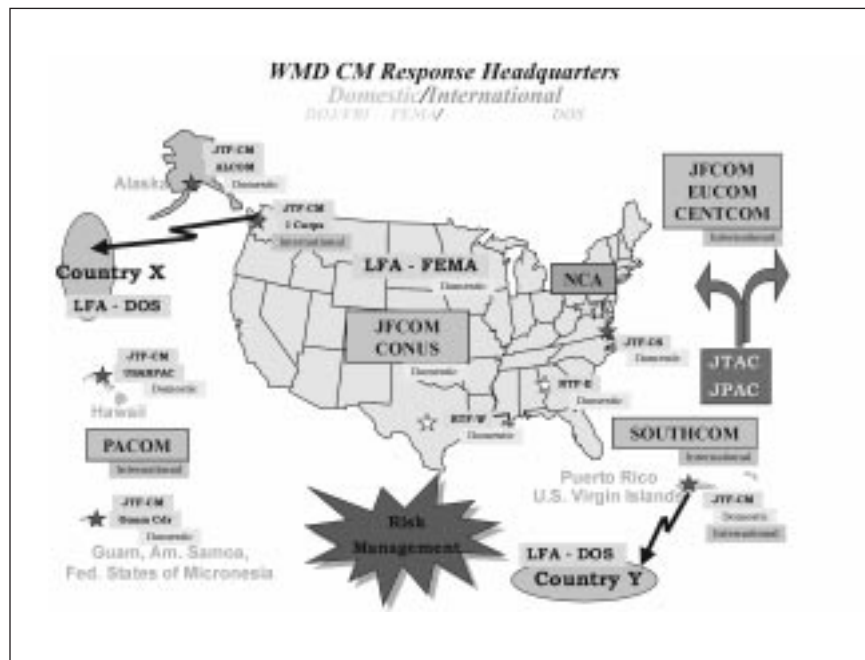


Figure 4-8. WMD Response Headquarters.

international setting (not that DOD won't respond if so directed).

It all comes down to this: competing demands for resources at the time of an incident like the ones we're talking about here will be certain to get the principals involved. If there's a conflict about what resources are going where, those decisions will be made by the people that need to make those decisions at the highest levels. I have got to believe that if U.S. lives are at risk, you know where they are going to make the priority, and you know where they are going to dedicate their resources.

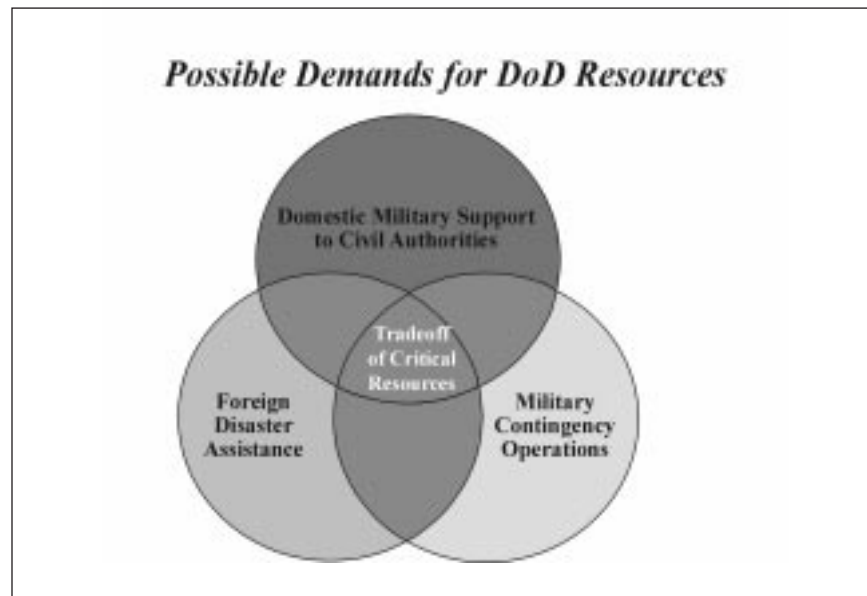


Figure 4-9. Demands for DOD Resources.

Mr. Frank Lane
Territorial Security
Office of the Assistant Secretary of
Defense for Special Operations and
Low Intensity Conflict

The Territorial Security Directorate is a newly created organization within the Office of the Assistant Secretary of Defense for Special Operations and limited Intensity Conflict OASD (SO/LIC), responsible for domestic and foreign consequence management as well as installation preparedness. Today, I will explain some organizational changes that have occurred in the last couple of months within DOD regarding consequence management and explain how the Department of Defense supports and responds to civil authorities regarding CBRNE incidents. I will address the history of events surrounding actions designed to improve the capabilities of first responders, and address the concepts of crisis management and consequence management. I understand that there is some confusion over these two terms in regards to where one ends and the other begins. Lastly, I'll cover consequence management considerations for overseas considerations. Afterwards, I'll be happy to answer any questions you may have regarding my presentation.

Figure 4-10 shows how OASD (SO/LIC) is currently organized, complete with the new Deputate on the far right. Territorial Security (TS) is new as of about two months ago and presently we have four full-time people assigned to it. We expect an increase in our staffing in the near future. OASD (SO/LIC) has also been assigned the responsibilities of the former Office of the Assistant to the Secretary of Defense for Civil Support, so there are a lot of changes organizationally. As a result, within DOD, TS is now responsible for consequence management domestically as well as at overseas locations. Mr. Dan Gallington is the acting ASD (SO/LIC). His placement as the acting ASD

(SO/LIC) is temporary until the position is filled through the normal nomination and confirmation process. As we speak, various people are under consideration for the position. When a nominee for the ASD (SO/LIC) is confirmed, Mr. Gallington will step down and become the Deputy Assistant to the Secretary of Defense for Territory Security.

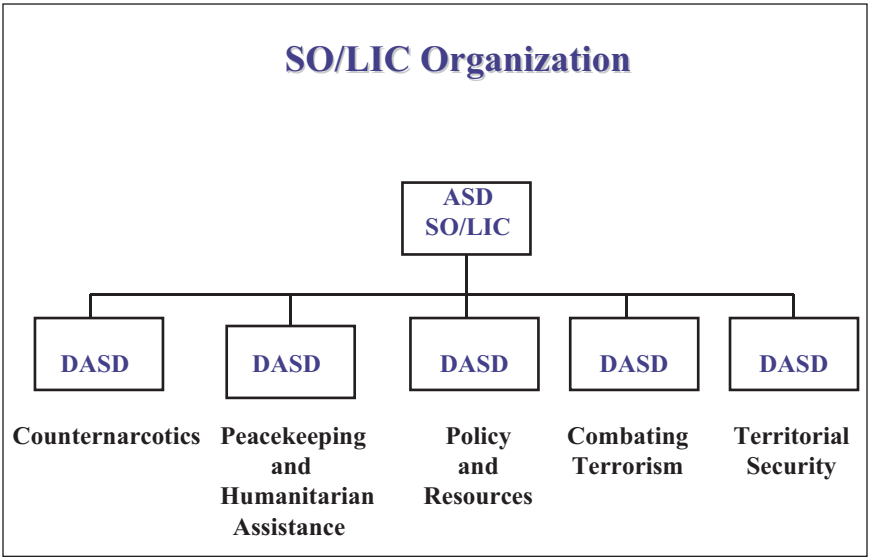


Figure 4-10. The Office of the Assistant Secretary of Defense for Special Operations and Limited Intensity Conflict.

Before we continue, I want to give you a little background on myself. I previously worked on the Joint Staff within J-34 “Combating Terrorism” Division. J-34 is responsible for anti-terrorism within the Joint Staff. Consequence management responsibilities on the Joint Staff reside within the J-33 WMD Cell. One of the benefits of the creation of TS within OSD is that we now have included in one organization both anti-terrorism and consequence management responsibilities. Accordingly, Territorial Security not only has responsibility for consequence management and anti-terrorism, but is responsible for installation preparedness as well.

I'd like to give you a brief history of what has occurred regarding consequence management over the past five years. The *Defense against Weapons of Mass Destruction Act of 1996*, better known as the Nunn-Lugar-Domenici Amendment, told the Department of Defense to provide first responder training to 120 cities. DOD saluted smartly and did it. The civilian first responder-training program was transferred from DOD to the Department of Justice in October 2000. At the time, there was some discussion that maybe the program should have gone to FEMA. As it turned out, the program rests within the Office of Justice Programs within the DOJ. In 1999, Dr. John Hamre, then Deputy Secretary of Defense, asked the Services to examine first responder programs on installations. This may have coincided with questions Congress started asking concerning the status of DOD's emergency responders program. Presently DOD needs to work on formalizing its program.

Within the Joint Staff, J-34 was created in 1997 after Khobar Towers was attacked. The Downing Commission found that DOD didn't have any uniform standards for Anti-terrorism (AT) installation protection around the world. As a result, the decision was made to establish the J-34 Directorate to resolve this issue. There are about 33 personnel within the directorate, and it immediately began working with OASD (SO/LIC) to create an AT program and AT standards. This effort resulted in the creation of the Chairman of the Joint Chiefs of Staff instructions 2000.12 and 2000.16. Respectively, these Directives are the AT program and the AT standards. In addition to these directives, J34 created an Anti-Terrorism Force Protection (ATFP) planning template for DOD installations with a WMD Appendix. The ATFP planning template allows installations to create an AT plan incorporating aspects of WMD protection.

Over the years, as with many new organizations starting out, you'll find things need to congeal, to structure themselves. Originally, one thing that didn't seem to

progress too well was the number of bases that had ATRP plans. Over time, the number of installations with ATRP plans grew, but seemed to get stuck at the 45-50% mark. There are different reasons as to why all bases didn't immediately have ATRP plans. In early 1998 –1999, about half the installations did not have plans. One of the reasons may have been the lack of resources or the need for a full time ATRP Officer. Initially, other reasons included comments from the field that the ATRP planning template was hard to work. In the year 2000, the Chairman of the Joint Chiefs of Staff called the year 2000, "the year of the plan." As a result, the number of installations with plans has increased. The ATRP planning template, along with the WMD Appendix, has helped installations a great deal in creating ATRP plans. Additionally, the data generated from the efforts of the U.S. Army Soldier Biological Chemical Command, which helped train the 120 cities civilian first responders over the last five years, has enabled DOD to improve our installations' emergency responders response posture.

Due to concerns regarding emergency responders within DOD, in 1989 the DEPSECDEF tasked the Services in a Program Decision Memorandum to examine 15-20 installations each in order to determine what was needed to improve installations' responder capabilities. This effort was known as the Installation Pilot Program (IPP) and is currently ongoing. As we received feedback from the Services regarding the IPP, we began to recognize that progress among the Services was varied. Some Services were making progress; other Services were not doing as well. As a result, and because there appears to be a need for additional guidance, TS is working on guidance for installation protection to include emergency responders to help structure an emergency responder program on DOD installations. Certainly, we understand financial resources will be needed to support this effort. Within the IPP, the Services are attempting to improve their own programs based on findings drawn from the IPP. In terms of funding,

the Services have been asking us where the money will come from. I tell them I hope Congress will help out. Whatever the case, you can be sure that installation protection issues will be looked at again. What I would like to come out of our efforts in TS is a standardized program that develops a baseline for installations' emergency responders to follow. The need to develop a baseline is extremely important. Since we do not have much of a historical background regarding chemical or biological attacks on installations, there is not a great deal of historical data from which we can draw telling us if our present capabilities are sufficient to deal with a terrorist attack. By establishing a baseline through the use scenarios, we can help set program requirements and therefore know our costs.

In terms of scheduling those installations that will first receive emergency responders training, we may wish to first prioritize installations based on mission, size or location. Additionally we would need to use more than one standard scenario. We would need to use different scenarios designed to reflect the mission requirements of an individual installation. We must also acknowledge that since installation emergency responders are not expected to be self sufficient, they should include in their planning the means to leverage the capabilities of first responders in the local community, and the state, and possibly even federal resources depending on needs. The best way to ensure these "gaps" are filled will be through the use of exercises with local, state, and federal officials. So, there's a lot of work that we have to do and we are seriously looking for solutions by examining many different approaches.

Figure 4-11 lays out some important distinctions between crisis management and consequence management. Currently, if you are dealing with a federal crime (and a terrorist incident is a federal crime), the FBI is in charge of the investigation. The FBI needs time to arrive on scene, set up its command center, and deal with the issues at hand. These issues may involve the collection of evidence as well as mitigating other aspects concerning the crime. As the

FBI proceeds, they would not keep emergency responders from their duty involving the saving of lives. As a result, the consequence management phase doesn't necessarily follow in a sequential manner after crisis management begins. Both crises management and consequence management can occur at the same time. This sometimes confuses people because it is often thought that crisis management and consequence management must occur sequentially, when in fact, the two concepts often occur concurrently. Consequence management begins with the arrival of local first responders. Certainly the first responders that arrive on scene will coordinate their efforts with the FBI through the on-scene commander.

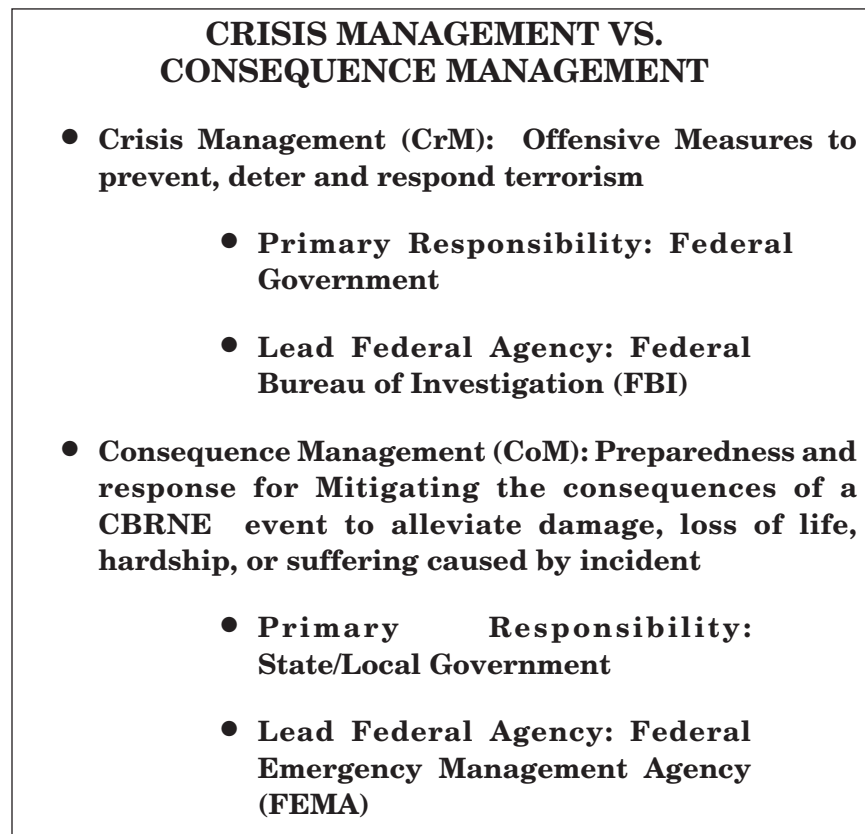


Figure 4-11. Crisis Management vs Consequence Management.

When identifying the principles for DOD support in these circumstances, I think our key concerns revolve around accountability to the public. (See Figure 4-12.) Another important principle to address is the role of the Department of Defense when dealing with a WMD. The Department of Defense will always be in a *supporting* role to the designated lead federal agency (LFA). Whether that support falls under the FBI in a crisis management situation, FEMA for consequence management, or the State Department when responding to a WMD incident overseas, there is a framework that places the military in a support role. The military will operate within its own chain of command; but as I've stated, DOD remains in a support role.

This support role does not detract from the skills and value DOD can “bring to the fight” in responding to a WMD incident. These types of events often overwhelm the capabilities of the local or state responders. The point remains, however, that the federal uniformed component wouldn't be called into the fray until it's clear the situation can't be handled without them. When called in, it should be to provide those needs that only the military can provide. Generally this may take the shape of manpower-intensive requirements—like providing mobilized security forces to stabilize an area following an attack—or highly specialized units with capabilities like those contained in our Chemical Biological Incident Response Forces (CBIRF) and Technical Escort Units.

The final bullet in Figure 4-12 represents a big piece of the discussion on the Homeland Defense issue. Who is best configured or suited for the mission? Once again, Hart-Rudman had a lot to say about this. The inescapable truth is that our Reserve components, the Reserves and the National Guard, are quite literally the “forward deployed” units in this fight. They know the lay of the land... they know the people... and perhaps most importantly, the people know *them*. In an incident of this kind, we're talking about a hometown flavor when your defenders are your neighbors. Basically, it's a good thing. On the other side of

PRINCIPLES FOR DOD SUPPORT TO CIVIL AUTHORITIES

- **Absolute and public accountability while respecting constitutional principles and civil liberties**
- **Supporting role to the lead civilian agencies**
 - **Domestically: FBI-crisis and FEMA-consequence management**
 - **Overseas: Department of State**
- **Support should emphasize our unique skills, such as our ability to mass mobilize and provide logistical support**
- **Reserve Components are “the forward deployed units” (but in practice, active duty units may also be called upon)**

Figure 4-12. Principals for DOD Support to Civil Authorities.

this debate, the active duty components may well be called into the mix, as needed, because the Reserve component doesn't have the specialized skills or equipment I referred to earlier.

It should come as no surprise that the majority of what TS does has to do with overseeing policy functions involving the uniformed elements within the military. One piece of that is the Joint Task Force -Civil Support contained within Joint Forces Command. JFCOM is tagged with responsibility for Civil Support in the United States, its territories, and possessions. It's a standing headquarters command and control Joint Task Force under JFCOM. It serves as the focal point for planning and integrating DOD support to FEMA when responding to WMD events domestically. The

support provided through the JTF-CS would be drawn from DOD including detection, decontamination, and medical and logistical assets as needed. Really, in CONUS, JFCOM is where we would wind up going if there was a need to bring large elements of the military to respond to an incident.

In addition to the JTF-CS, we have WMD Civil Support Teams contained in the National Guard. These were formerly known as RAID (Rapid Assessment and Identification) Teams. Ten were established in 1999, seventeen more in 2000, and five more in 2001, for a total of 32 teams.

We have many other unique military organizations that could be plugged into or through Joint Forces Command JTF-CS. Some of the expertise out there includes:

- The Marine Corps Chemical Biological Incident Response Force (CBIRF)
- The Army Technical Escort Unit
- The Chemical-Biological Rapid Response Teams
- The Army Medical Research Institute of Infectious Diseases (USAMRIID)
- The Navy Medical Research Institute (NMRI)
- The Army Medical Research Institute for Chemical Defense
- Mobile field hospitals, logistics, communications, civil affairs, mortuary affairs, military police, search and rescue, and chaplains.

I've talked a little about organization, now let's shift our attention to process. Figure 4-13 provides a graphic depiction of the domestic WMD Consequence Management process. The process begins at the top left with the "Disaster," which will be met by the local first responders.

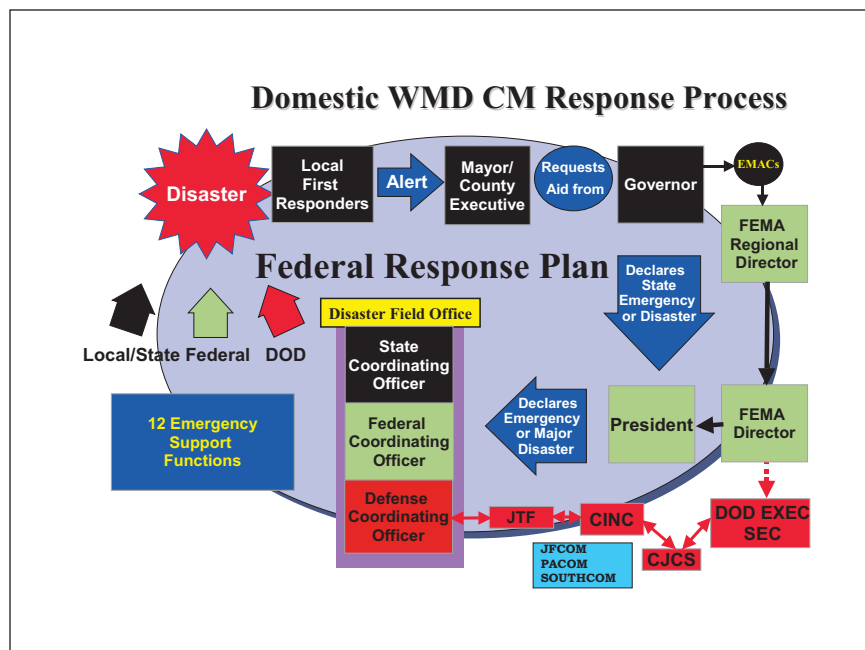


Figure 4-13. Consequence Management Response Process.

Assuming the event is beyond their capability to fix or contain, the process proceeds through requests from the local government to the Governor, who can devote state assets to the problem. If those assets are overwhelmed, the Governor may activate various EMACs (Emergency Management Assistance Compacts) with other states. FEMA is organized into ten regions with a regional director for each. A regional director will keep apprised of the on-going situation and push information up to the Director of FEMA. If the situation merits, the Governor may ask the President for a declaration of disaster. If the President declares the incident to be a disaster, he evokes the Stafford Act that allows Congress to pay for the costs incurred by federal agencies through FEMA to address the problem. A disaster field office will be set up containing the State Coordinating Officer, the Federal Coordinating Officer and the Defense Coordinating Officer. For DOD to become involved, requests for assistance must be sent to the DOD

Executive Secretary. Once approved, the Executive Secretary will forward the request through the Joint Chiefs of Staff, and the “appropriate” Combatant Commander (responding forces could come from JFCOM, PACOM, or SOUTHCOM). JTF-CS will serve as a command and control headquarters for whatever DOD assets are employed.

The lower left-hand side of the figure helps to illustrate a central point. There are 12 emergency support functions (ESF) identified in the Federal Response Plan, ranging from Transportation, to Health and Medical Services. DOD is designated as being responsible for only one emergency support function: Public Works and Engineering. Specifically, the Army Corps of Engineers is the responsible organization. So, when DOD is responding to local, state and federal mechanisms as you see illustrated here, 99.9% of the time it is in a supporting role, and *DOD is not in charge*. The one instance where DOD would be in the lead would be a CBRNE event on a DOD installation where the effects remained on the installation.

When the U.S. receives an overseas request for assistance, the process shown in Figure 4-13 begins to work. In order to formally initiate DOD support overseas, the host nation request should be made to the U.S. ambassador. The matter would then be brought before the NSC. If it is agreed that support will be provided, DOD may be involved. Request for assistance for DOD support is initially passed to the DOD Executive Secretary within the Pentagon. Staffing will go through the appropriate offices within DOD and passed on to the supported geographic CINC overseas. Presently, a combatant commander overseas is required by CONPLAN 0400 to create a Joint Task Force Command and Control Organization for consequence management within his area of responsibility.

For an event overseas (see Figure 4-14), there are other challenges in terms of time, space and getting equipment on scene. More than likely, a host nation will ask for assistance from the international community to include Non-

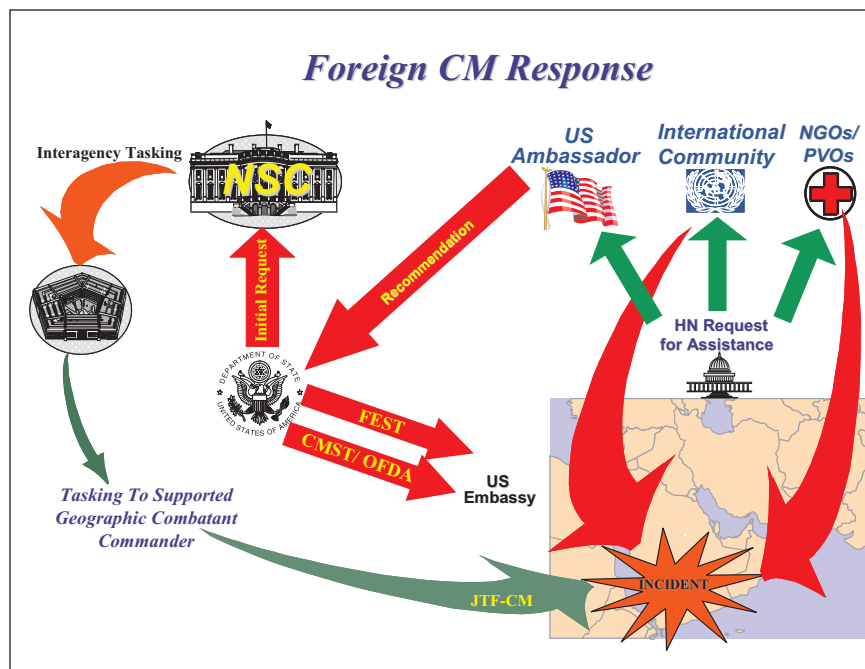


Figure 4-14. Foreign Consequence Management Response.

Governmental Organizations (NGOs) and Private Volunteer Organizations (PVOs). These international organizations may be located geographically within the host nation, and as a result may be better positioned to respond to the event in a timely manner. Within the DOS, an organization that would be in support of U.S. efforts is the Foreign Emergency Support Team (FEST). It can be deployed to the host nation and is designed to help the U.S. ambassador within the host nation. There is the Consequence Management Support Team from the Political/Military Affairs division within the DOS as well. Additionally, the Office of Foreign Disaster Assistance (OFDA) within USAID helps support the response process to include negotiations with NGOs and PVOs in support of the host nation. In some situations, the United States may not be asked to help.

One of the things that I think we need to work on is an exit strategy when supporting another nation's request for

assistance. An exit strategy will begin with the U.S. being aware of the capabilities within the international community to include NGOs and PVOs, what these organizations are doing, and what they are capable of in terms of support. With the bombing of the embassies in Africa, we had issues that led to accusations that we only took care of Americans. One way of avoiding that sort of thing is for the U.S to have a good regional understanding of what assets exist and how we can integrate these assets into the U.S. response. As I mentioned earlier, this helps establish an end state. We certainly don't want to reach a point where a request for U.S assistance results in nation building. Knowing regional capabilities is beneficial to both ourselves and to the host nations we support.

In conclusion, I believe that the threat of terrorism is here to stay and, as a result, we need a national strategy that deals with this threat. The roles of the FBI and FEMA will have to be re-examined to reflect the new challenges we face. Additionally, a national strategy should define the roles of other federal agencies to include the Department of the Health and Human Services, the Department of Transportation, the Department of the Treasury, and the Immigration and Naturalization Service. This list of federal agencies would only be the beginning. The national strategy should focus on existing platforms within each federal agency as well as designing a workable, integrated approach toward defending our homeland. The implementation of such a strategy will be challenging and should begin with the creation of an Office for Homeland Security. DOD is participating in efforts to define what role it should play in supporting civil authorities. The political leadership within our country is looking closely at various recommendations from commissions and studies. Organizational challenges continue to exist within each level of our government to include the federal, state, and local level. There has been some criticism in terms of how far we must go, but I believe that we have come a long way in a short amount of time.

Discussion

Does the Department of Defense have a ready military capability that can effectively respond to a major WMD event?

We have a process, and in Joint Task Force-Civil Support we have a headquarters to deploy and lead a DoD response. We have various units that can be assigned to JTF-CS, and within those units we have the capability to respond to many kinds of events. We haven't yet done everything to develop all the capabilities we need to have to respond to all possible events.

One of our challenges is that we have not yet tasked services and units with missions to address specific homeland security requirements. To begin to accomplish this we need a Homeland Security War Plan that supports a National Homeland Security Strategy. The key to planning a successful consequence management response is to develop an inter-agency response that appropriately tasks DoD with various missions. Once a plan is established and an inter-agency training and exercise program is developed and funded, then the President will be confident that he has the resources to respond to an emergency.

Needless to say, directing and coordinating a complex interagency federal program that includes planning, resourcing and directing a national homeland security strategy will require an organization with a lot of leverage.

Does the United States have the military capability to conduct a quarantine in response to a public health emergency or to conduct a population containment operation?

This is an area that DoD has not addressed extensively. It doesn't fit neatly into counter terrorism, nor does it specifically employ the technical capabilities that some units are built around. And this potential mission carries with it some legal and civil liberties issues that scare

military people. In short, general purpose forces could conduct a quarantine operation, but significant planning must be conducted to understand the rules of engagement, the environment—be it nuclear, radiological, or biological, the geographical scope, and the anticipated duration of the mission. Once somebody plans for the military to be used in this type of mission, a good training program will become a necessity.

How do you reconcile the mission of the military to fight and win the nation's wars overseas with the use of military forces in a homeland security mission? Isn't the saving of lives in a U.S. city more important than peacekeeping or defending South Korea or Taiwan?

Our military fights the nation's wars to defend the American people and the American way of life. If there are concurrent missions overseas and in the homeland, the President has to prioritize the use of resources and the deployment of forces. While DOD has a limited amount of forces, the United States has not recently deployed them all overseas to a contingency, so there is usually a non-deployed reserve of forces, active and reserve components that could respond here at home. If the domestic mission requires the use of significant forces, the United States may have to limit its overseas military objectives or modify deployment timelines.

At the present time not all Army National Guard units have missions to support a warfighting CINC. Should the homeland security mission generate a requirement for dedicated forces, DOD, with additional Congressional funding, has the flexibility to restructure its missioning of the total force without dual tasking.

Chapter V

Panel 5 - The Role of the Army in Territorial Security

Introduction.

The Army's employment as a land force provides it, among all the services, with potentially the most widespread contact with the American people as the DoD conducts Territorial Security missions. The Army is the DoD's executive agency for military support to civilian authorities, a mission it coordinates through the Deputy Chief of Staff for Operations Directorate of Military Support (DOMS). The Army's active and reserve components have all historically conducted civil support missions, and the National Guard continues to respond to immediate civil support requirements at the direction of each state's governor. This panel provided an expert perspective of the roles of the Army's three components in support of Consequence Management and Homeland Security.

Brigadier General Donna Barbisch, USAR
Military Assistant to the Assistant
Secretary of the Army,
Manpower and Reserve Affairs

I really consider this a great honor to be able to be here and speak with you all today. Although I am the Military Assistant to the Assistant Secretary of the Army, I do have to tell you that these are my comments and do not reflect the ideas of our organization or institution.

I've done a fair amount of research on how our military supports domestically, and I would like to share with you what I think should happen. I'll also give you a little overview of how we are organized in the Army Reserve, and how we think we might approach this.

I'd like to start just by making a few comments. First of all, on some of the things that we've talked about here today and a little bit of a reminder to say we in the military are all a little schizophrenic about this mission. Because, in fact, we have not had that mission flow down to us yet...and in the military, we don't do anything until we are given a mission to do it. So, for us to think that it is our job to define what it is we do is a little outside of our bounds. When we are told to do it, we salute and move on to the mission. And it is especially important when we are talking domestically that we stick to our mission, so that we don't cross the bounds of any military entity in anyway trying to take over our government.

I want to ask you all to think about the assumptions that we make when we talk about planning for military support domestically. Some of the assumptions that we are making, that I've heard consistently in some of the conversations here, talk about resources and how, if we just had the money, we would have a better organization to respond. I would suggest, however, that resources without a strategic plan are only going to add fuel to the fire of us being out of

control, creating “mission creep” into areas where we don’t belong.

Occasionally, people look around and identify an area where there is a gap...or they think there is a gap, and that has occurred frequently in discussions surrounding Homeland Security. It alludes back to the old warning: “its not what we know that hurts us, but what we don’t know.” If you are working in an organization and don’t know who or even if someone does a particular job—but you have identified that that job needs to be done—you may end up designing something to get the job done. This, in spite of the fact that the job was already being done... but you didn’t know it. So some of the problems that we are having today have come about because we have designed programs that already were there, and now we have some redundancy that doesn’t fit. As we throw money at programs, we’ve set some of our contracting folks (of which I’m one, by the way, outside of my military job) into a feeding frenzy. The funding is there and there is a lot of capability that has been developed...but the effort is sporadic and there isn’t a lot of “cross walking” going on to ensure efficiencies.

We have a lot of programs that were developed right after the Nunn-Lugar-Domenici initiative was implemented that are asking, “Where’s the money to support my program and to make it continue?” We’ve also got programs that are supposed to integrate some of the disparate initiatives, and they are having difficulty doing it because the folks who designed the original programs aren’t willing to give up their babies. We’ve got a few challenges there and I’d like you to think about those.

My own personal feeling is that the Department of Defense’s piece in civil support should be directed at “surge capabilities” only. We should not be involved in an incident if in fact we are not needed. We have a great capability in this country...great infrastructure... and we can do a lot of things at the local and the state level, without the military. What’s more, there is assistance that can be provided from

the federal level in the civilian federal organizations that will not involve the military. So, if the Department of Defense doesn't belong there, it shouldn't be there.

Someone suggested that we have to have a good strategy for entering the fray and a good exit strategy when it's time for us to leave. If we study the kind of domestic missions we have had in the recent past, we know that most of those missions don't last very long. Some incidents and scenarios will certainly call for longer commitments than most (the "Dark Winter" scenario you will hear described tomorrow certainly would). But most consequence management situations involving the military to date have tasked those "surge capacities" to the domestic crisis that only we can provide. While the rest of the community is gearing up to move in, assets from the Department of Defense can mobilize and deploy rapidly to begin providing needed help. In fact, most of our civilian counterparts don't deploy. Let's talk a little bit about that.

We plan in the military. We have great plans that provide us a great opportunity to do things the way we do them, within a very structured mechanism. Once we get a mission, planning factors kick-in from within that structure, and we are able to lay out the steps and priorities to accomplish our tasks.

My personal perspective on the problem we are facing here this is that we are dealing with change and because we haven't got a strategy, the change is more difficult. We cannot, in DoD, define this mission without being told what the strategy is. So, the change is eating us up. And it's nothing new. Now, what we've got today are competing requirements for our different war fights. When we look in the Army in defining how we work within the bigger organization of DoD, the CINC defines the requirements and we provide forces to those requirements. So, we have a Southwest Asia requirement, a Near East requirement, and now we've got the homeland requirement that we have to deal with.

So, what are the military roles? That is one of the things that I think that we need to discuss: whether or not we know exactly where we are going and what we need to be doing. What is the military mission? If you ask most of the Army guys what we do, they will tell you it is to fight and win the nation's wars. Well, I have to tell you that I think that is more our definition than the national strategy's definition, because what we're really called to do is defend the nation. And there's still a tinge of feeling that employing the Army—the strongest arm of last resort in national security—in a civil support role is somehow mis-utilizing the service. But what do you want to characterize as “war?” Is it war if someone lobbs a biological weapon in a populated area at a couple of different sites across the nation? Or is it terrorism? Is it something the military should be involved in? And if it isn't, then what are we doing here? I would contend that no matter what you call it, if the immediate response demands the kinds of surge capabilities only the military can provide, then the military is bound to be there.

We have some conflicting civilian and military responsibilities for some of our people in the Reserves, and one of the things we are doing is trying to define and identify where our capability exists. I mentioned yesterday that we have an initiative ongoing that is identifying how many of our Army Reserve medical folks are also engaged in the VA, as well as other emergency management activities. Those of us that are in the Reserve know that part of the reason you are in is because you enjoy that feeling of being able to deploy, being able to engage when there is a need. But we are finding that a significant number of those forces are fire fighters and police and emergency medical folks. This isn't surprising because the same type of motivations that lead a person to want to serve in the Reserves leads them to want to serve in their communities... but we are obviously faced with a situation where one motivation could detract from the other. In order to work around the problem, our plans are to bring people outside of an area impacted by an incident to fill the Reserve requirement to support it.

Accordingly, we will be able to respond without using people that are already engaged.

Now, if you know anything about how we have done this in the past, we didn't have a very good track record. During Desert Storm, we pulled large numbers of people out of areas that left some hospitals without surgical staff. This came about because, in the Reserve, the atmosphere becomes something of a "family," and, as people watch you enjoying what you do, they will want to join you. Prior to the 'Storm' we had whole operating room theaters that had thought it might be fun to be in the Reserve and go out and do a full surgical team together. So, we took them... and when the need arose, they were deployed to Desert Storm. We are working to make sure that sort of thing doesn't happen again, particularly with regard to responding to domestic incidents. I think that General Lawlor's plans are to pull Reserve forces from beyond a couple of hundred-mile radius of an incident site in the event they need somebody. Our disaster medical assistance teams and our civilian national disaster medical system assets currently have a 500-mile radius. I think they are reducing that down to a 300-mile radius to avoid these kinds of problems. Nevertheless, depending upon the size of an incident, we may not be able to accommodate both concerns.

When we talk about consequence management, I think it is important to look at requirements and capabilities. If we don't have a match of a requirement and a capability, then we are not doing our job. As most of you know, the Reserve Force is organized in the same division structure as the regular Army. It is a war fighting structure, with combat support (CS) and combat service support (CSS) folks organized around the combat soldier. You heard, in the last presentation, that there is enough support structure to go around, so that if we need to deploy to a war, we will have enough combat service support—medical folks and so on—to fulfill our requirements. That applies if you are talking about fulfilling our "traditional" support require-

ments; but if you go beyond those, then we may have problems.

If our combat folks are out there, they want medics and engineers and all of those folks that need to be used to support that war fighting entity. But the same capabilities we will need to respond to a consequence management requirement are contained in these CS/CSS units dedicated to supporting the warfighters. And, in the 2-MTW (major theater war) scenario that characterizes our current National Military Strategy, *all* of those forces are earmarked for the front. Now as you know, that 2-MTW strategy is currently under review, but the problem of balancing capabilities needed to support the front and the home front is not likely to go away.

So, can the civilian community count on DoD to be there? I think it goes back to your questions on priorities. It reminds me of the dilemma they used to give us in 'values training' where the boat is sinking and you have to throw somebody out and you have a doctor, a lawyer, a housewife and a congressman...which one do you throw out? Obviously, it will be situationally dependent.

It is important again to recognize that the requirement that we (DoD) will be tasked to provide for consequence management will come predominantly from the combat support and combat service support structure. My personal feeling is the primary use of our forces would be in response to a biological, or possibly a nuclear event. In radiological and chemical events, the majority of the destruction and personal loss of life would occur so rapidly that it would be rare that we would be there in time to be able to support those requirements. If you are not there within the first couple of "golden hours," you are not going to be able to do a whole lot. So, we have to take a look at the remaining requirement, and then conduct a cost-benefit analysis of either building the capability within a civilian community or providing it from the military. If we choose the latter, we may also have to balance in the higher costs associated with

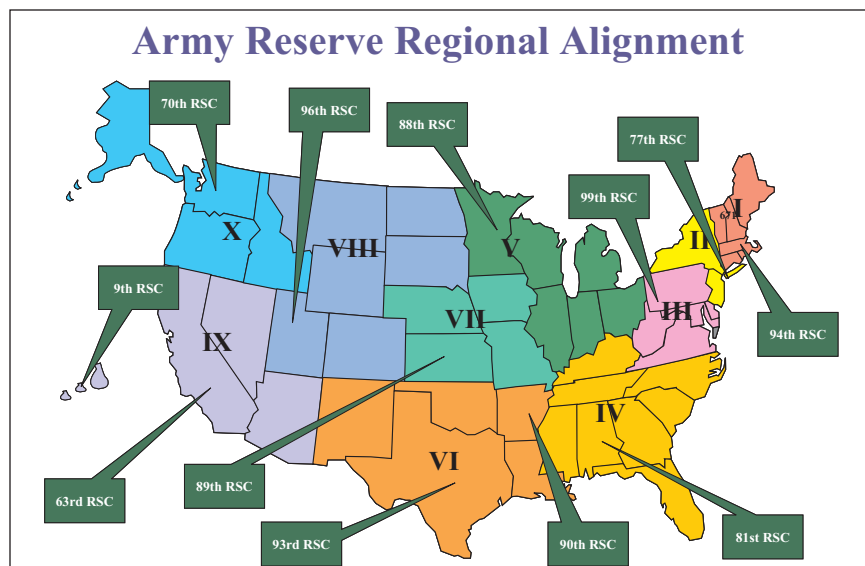


Figure 5-1. Army Reserve Regional Alignment

tying a “warfighting” capability to a domestic response. There are a lot of questions here.

As most of you know, in the Army the preponderance of the combat support and combat service support is in the Army Reserve. I’ll give you a little snap shot of where we are and how we are configured from our analysis, paying particular attention to the capabilities the domestic sector might expect from the military in a CM response. We have a huge piece of the Army’s chemical and medical structure. The Reserve makes up 59% of the total Army medical capability. The Reserves have the Army’s mortuary affairs capabilities, consisting of two mortuary affairs units in Puerto Rico (the only mortuary affairs that exists in the Army outside of the Reserves is a small headquarters organization in Fort Lee, Virginia). As far as Civil Affairs is concerned—an area that may have real importance in CM operations—the Reserves contain 97% of the Army’s total capability.

One of the ‘problems’ that we have in the Army Reserve is that we are part of the federal force and, as such, we blend

with the big Army. Most people think, when they see us out on weekends, that we're part of the Guard, so there's a little identity crisis that we have from time to time. We are partners with the Guard in the Army Reserve Component—another label that adds to the confusion among people outside of the Army (and some even within). We work under Title 10, the Guard works under Title 32 in their state status.

The Army Reserve is organized through regional support commands. We have 10 regional support commands and they are aligned with the FEMA regions so that we have one of our RSCs in each one of those 10 FEMA regions. Now, as General Lawlor has taken a look at how he thinks the response should work, he has found that the regional support commands might be the center of the response capability for any response launched across the nation.

Our Army Reserve capabilities allow us to “cross walk” to each of FEMA’s emergency support functions (ESF). What I have up here (*see Figure 5-2*) are depictions of the capabilities contained within our field units. This does not convey all the associated capabilities of interest to CM concerns, but it provides a reasonable reference for purposes of application. What the chart does not show is the “backfill” requirements as units deploy; but this still conveys the notion that for each ESF we have our field units and we have our organizations that back fill as other organizations deploy. But you can still see that under each ESF, we have quite a capability.

I'd like to focus again, for just a few minutes, on the Medical capability the Reserve brings. We have medical commands and brigades that provide command and control functions, and combat support hospitals that will show you how many beds and ventilators we can provide in support of domestic operations, in keeping with our requirement to support our combat soldiers. When we plan for war fighting, we plan the combat support according to what we think the casualties will be given whatever contingency operation we

Army Reserve Capability Relative to Emergency Support Function

Category	Unit Type	# Units	Unit Capability	Total Capability	Notes
ESF 1 Transportation	Med Helo Co	4	16	64	CH-47
	C-12 Fixed wing	1	27	27	Turbo-Prop
	UC-36 Fixed wing	1	6	6	Jets
	LtMed Truck Co	19	60	1,140	5 Ton Trucks
	Tanker Truck Co	9	60	540	6000 Gal Tankers
	Med Truck Co	5	50	250	5 Ton Trucks
		5	10	50	5 ton Tractors
		5	20	100	2.5 ton Trailers
ESF 2 Communication	Misc Signal Units				Army Coms Only
ESF 3 Public Works & Engineering	Engineer Bn	25			Misc Spt
	Engineer Co	30			Misc Spt
	Engineer Tm	13			Fire-fighters
ESF 4 Fire Fighting	Engineer Tm	20			Misc Spt
ESF 5 Information & Planning	RSC	10			C2 units subordinate to the RTF
	RSG	3			
	ASG	3			Provide CSS Spt on an area basis
	CSG	4			
	CSB	6			
	Multiple Other HQ				

Category	Unit Type	# Units	Unit Capability	Total Capability	Notes
ESF 6 Mass Care	Internee Resettlement Camp	14	8,000	112,000	Food & Shelter
	Field Service Co	15	18,500	277,500	Laundry & Bath
	Force Provider Co	4	3,300	13,200	Food & Shelter
	Water Purification Det	8	30,000	240,000	Gal per Hour
	Water Purification Tm	2	12,000	24,000	Gal per Hour
	Water Supply Co	3	1,600,000	4,800,000	Gal Storage
	Water Supply Co	3	9,000	27,000	Gal per Hour
ESF 7 Resource Support	Supply Co (DS)	21	18,500	388,500	Pers Capacity Log Spt
	Supply Co (GS)	13	18,500	240,500	Pers Capacity Log Spt
ESF 8 Medical	MEDCOM/Brigade				Command and Control
	Combat Support Hosp (new)	34	289	9,826	Beds
		34	150	5,100	Ventilators
	Combat Support Hosp (TAA 05)	25	289	7,225	Beds
		25	150	3,750	Ventilators
	Mortuary Affairs Co	1	400	400	Bodies/ day
	Corps Collection Co	1	400	400	Bodies/ day
ESF 9 Search & Rescue	See Avn Units (ESF1)				
	See NBC Recon Units (ESF 10)				
ESF 10 HAZMAT	NBC Recon Co (AOE)	2	21,000	42,000	SQ KM
	NBC Recon Co (Force XX)	2	144,000	288,000	SQ KM

**Figure 5-2. Army Reserve Capability Relative to
Emergency Support Functions.**

are working. So, all of this stuff is already dedicated in some degree to some piece of one of the current warfighting scenarios.

Notice on the chart our mortuary affairs company and their defined capability of handling 400 bodies per day. You heard the gentleman from Pennsylvania yesterday bemoaning the fact that they have only one medical examiner for the whole jurisdictional area. Now, medical examiners do different things from a mortuary affairs company, and we should recognize as much. But when I asked a medical examiner recently how many bodies a day they could process in an extremis situation (which, in conjunction with an exercise we were planning, I described as 80,000 casualties), he said on a good day, he could probably do three. So we have some significant issues here, and not necessarily issues that spring to mind.

I think it is also important that that we look at mass care. What is the requirement if we are called to support a catastrophic event? We have talked a lot about general-purpose troops, and some folks would suggest that you could use general-purpose troops for mass care. Given a statement like that, I'd have to ask the speaker if he or she knew what "mass care" is? It's setting up shelter, providing water, and addressing some very basic sustenance issues—the way the Red Cross does. Now some of that is "manpower intensive," and for those functions, the "general purpose units" will fill the bill. But for the "specialized requirements" we're talking about... you'd better be prepared to supply more than well-meaning soldiers with M-16s.

Let me direct your attention for a moment to the "internee resettlement camps" I address here (see Figure 5-2). We renamed these things because we didn't want the occupants to think we were treating them as POWs, but their purpose is to provide for that kind of "mass care" I addressed a moment ago. Each of the camps you see referred to here can provide food and shelter to 8,000 personnel. The

14 we have in the Reserve have a combined capability to support 112,000.

Regarding to medical concerns, I wanted to return again to just how much of the Army's total capability resides in the Reserves.... 59%. Here (*see Figure 5-3*) I broke out the Army's active component, the National Guard, and the Army Reserve. I talked to the Office of Emergency Preparedness and said, "What is it you are going to need if we have a biological event?" Currently, the way we are structured under the National Disaster Medical System places our primary responsibility to providing transportation and hospital beds. But the world has changed and hospital beds aren't really a good measure of how we support a disaster. So, that system needs to be refined and is under review right now. But, if we look at what you need, the requirements are for nurses and doctors and medical personnel that have a capability. What they asked me to do was to tell them how many of our nurses and docs had

Army Medical Strength

	AC	ARNG	ARMY RESERVE				
			Drilling Reserve	Full-Time	Ready Reserve	TOTALS	Grand Totals
Officers							
Nurses	3300	895	7076	132	4255	11463	15658
Doctors	4332	701	2258	1	1758	4017	9050
Veteranarian	413	22	111	0	111	222	657
Med Service	3919	1011	3091	300	1741	5132	10062
Officer Total	11964	2639	12536	433	7865	20834	35427
Enlisted							
Medics	29879	17186	20015	212	15730	35957	83022
	41843	19825	32551	645	23595	56791	118449

Figure 5-3. Army Medical Strength.

emergency medical training and capability. Accordingly, within a couple of months, I'm expecting that our numbers are going to be reviewed and we are going to have a specialty skill identifier we can assign to people as emergency medical providers.

Component	Strength	
	Officer	Enlisted
Army Reserve	12,528	20,142
Army National Guard	3,290	17, 699
Naval Reserve	4,058	6,855
Air National Guard	2,094	4,696
Air Force Reserve	4,269	7,204

Figure 5-4. Reserve Component Medical Strength (1999)

Having said all that, what we think about in DoD is “How do we support holistically?” Although the Combatant Commanders were assigned the mission under the UCP (the Unified Command Plan of '99), the operational plan is just now starting to flow out of J5. Once those plans hit the street, we will be able to identify the missions down to our units.

The Guard has the mission at the state level already. The question comes in challenging “assumptions.” Is the Guard the place that we should be assigning the mission for homeland security? There is a relatively large debate going on right now. Is it the Guard or is it the reserve components? Somebody offered the position earlier in this conference that the Guard should be the organization assigned the mission, and followed it up with a statement that the President made recently justifying that stance. If you read what the President said, it was the Guard *and* the Reserves, because the Reserves are also a part of that forward deployed force across the nation. But then, if you look even further, the

active component is also across the nation, considering the disposition of our bases—shouldn't they also be part of a 'total force response' if needed? In any event, we are going to look at this as a holistic response because we work together, no matter where we go, and the Guard and Reserve are partners in all of this.

The last observation I would share this afternoon is that none of this is new for us. We have to accept that there are going to be losses. In the military, when we plan for contingencies, we plan for the acceptable loss. On day three of battle, at intensity Level 5, we know that we are going to have a number of our soldiers killed, a number of our soldiers injured, and we plan accordingly. One of the things our civilian community doesn't do, however, is plan for losses. If you have a 97% lethality, as is the case with anthrax that is not treated before symptoms arise, you are going to have 97% of the people die. But even given a 97% worst case, there remains a requirement in providing for the remaining 3%. It is something that we do in medicine all the time. We don't put people in intensive care units anymore when we know they are going to die—those assets have to be saved for those who have a chance of living. But there's a growth process involved in learning to accept losses and re-focusing on the lives that can be salvaged. What's more, we may find ourselves struggling with what Randy Larsen raised during *Dark Winter*: are we concerned about saving America, or saving Americans? The nation, or its citizens? Do we send people and forces overseas to work on a Korean or Southwest Asia scenario that will threaten the entire United States when we have people dying in Kansas? I don't know, but I think we'll find out, if and when the time comes.

**Colonel Peter Menk, ARNG
Strategic Studies Institute
United States Army War College**

We're off to a very good start here. I am not unaware that the role of the National Guard and Territorial Security is one of the hot button issues that are currently being debated. We are going to take two approaches. As an old trial attorney, what I've done is this: I have some very nice, benign slides that present a very general, approved, present day version as to where I think we are in the process of identifying homeland security responsibilities within the whole family of the Department of Defense. They will address who and how the mission should be entertained. What I'm going to do on top of these slides, however, is to inject my personal comments and observations on the direction of things, hopefully to inspire some discussion.

One of the first things we need to do is to talk a little bit about just exactly what is this entity, the National Guard. I'm not going to go into National Guard 101 and the history and all of that, but I will point out that the National Guard plays a long-term role in this country that the other components do not play. And that is because you have to go back to the basic premises of what our structures are. What we are is a federal republic. We are not a democracy; we don't vote, directly as individuals, on every issue that comes before our Congress to be decided. We don't even vote directly for the President of the United States, as some people apparently learned for the first time this last election. What we are is a federal republic and in a federal republic, what you have is balancing tensions, checks and balances. That's why we have the legislature, the executive, and the judiciary branches. and why we have the federal and state dichotomy and the tensions that exists between. When you go to the Guard, you have both a DoD asset and a state asset. United States code Title 32 identifies federal funding that comes through a federal agency called the National Guard Bureau...a federal agency that is headed up

not by a commander, but by the Chief of the National Guard Bureau...a federal agency that funnels that money down to 54 separate “Commanders in Chiefs” (Adjutant Generals) that work for their governors. However, that Title 32 federal money is to train the Guard, both Air and Army National Guard, for the federal mission.

That is a very important distinction to draw here because, in our system, the United States military, the Department of Defense, is not funded, and does not authorize any appropriated funds for the *domestic* missions. *Zero* funds. If you go to other countries—if you go to England, to France, to Germany, to Japan—all these other countries do fund their departments of defense for military domestic support missions. In the United States we do not.

General Jack Galvin wrote a very interesting book on the history of the original militia movement in Boston during the beginning days of the American Revolution. What he emphasized in the book, and what I’m going to talk about to illustrate the point of the difference in the Guard, is that a lot of the perceptions of the Guard—the role it plays in the country, its design, how it operates, and how we wish to *preserve* it—is all in tension-juxtaposition to DoD in its state active duty militia status. In that role, it is not part of the Department of Defense and not under the control of the Department of Defense except to the degree that they still wear the same uniform. When deployed in support of the “federal military, combat mission,” they become like the rest of the Army...but on the state active duty, they are not. In fact, there are people out there who are members of state active duty forces that wear the uniform who are not even members under Title 32; very few, but it is possible to have those folks, if the state chooses to pay for them out of its own pocket.

In General Galvin’s book he dispels some of the mindset that abides within DoD about the Guard, its assets and what it is. One of the misconceptions he addresses is that during the march of the British forces to Lexington and

Concord this was some sort of unorganized group of farmers who dropped their plows and picked up their rifles and shot. Actually, if you trace it back you would find 15,000 paid, organized militia who were armed with exactly the same muskets that the British regulars carried, and who were alerted by riders who were pre-designated to ride the alerts. In fact, this was the sixth time that they had ridden because the British were sending out these forays to try to find cannon that they knew that the colonists had. So, what you had was not the farmer who opportunistically picked up his rifle, but a very well organized and paid force. A couple of centuries later, we have their descendents within the state active duty status forces— a very well organized, large force that has existed ever since the creation of this country.

The points have already been made here; very clearly, that this is a consequence management symposium. The question for this panel is: “What are the roles and missions of the National Guard, in its state active duty status, for Territorial Security?” There are a bunch of them, and some quite frankly, are war-fighting missions. They are not all military support, military assistance. What we have is a number of potential missions, most of which the Guard has either performed in the past, is performing now, or may well be performing in the future.

When I was a trial attorney and was going to court, I would always read whatever the applicable statutes were to the issue we were addressing. You always read the law before you went in, even if you thought you were familiar with it, because it counts. *Definitions* count... and a lot of what has already been discussed here centers on the difficulty that DoD is having because we don’t *have* a definition; we don’t *have* the guidance that we need.

But the Guard has a very specific mission in its state status. And that is to provide for the calling forth of the militia, to execute the laws of the Union. That’s what *posse comitatus* (which I agree very much is a red herring today) is about, designed in an attempt to prohibit the regular forces

from taking on legal jurisdiction following the abuses that occurred in the aftermath of the Civil War in the South.

There isn't any prohibition on the militia from executing the law, whether we're talking about suppressing insurrections or repelling invasions. If we go back not very long ago, during the Cold War, the 54 state CINCs had the mission for defense against an invading Soviet force, should there have been a nuclear attack. So the concept of a state militia Adjutant General under a governor defending territory in a war is far from merely historical. You don't have to go back to the war of 1812...all you have to do is go back to the 1950's and you can see that the missions are not so changed for the militia state active duty side of the force.

Now, let me make certain that everybody is on the same sheet of music with me on why the money issue is so important within this federal republic system that we have. Someone raised the issue yesterday that there was one Air Force Reserve unit that does aerial spraying. We dealt with them when I was in DOMS while trying to get some insect eradication in eastern North Carolina during hurricane Floyd. Now, until the law was changed last year that permitted the deployment of Reserve forces for WMD consequence management, you couldn't use Reserve forces for military support to civil authority; so we would use the unit, but we had to do it under the guise of being part of the unit's "annual training." Quite frankly, on the Air Force side of the house, both Air Guard and the Air Reserve are very creative in matching training missions with what occasionally needs to be done, so that they are very, very responsive. In fact, we used that Air Force Reserve unit to eradicate insects in both Virginia and North Carolina—and they did this while in an annual training status.

Why did we have to take such a circuitous route to the accomplishment of a vital mission? It wasn't because they didn't have the money. It is because it would have been a *crime*. It would be a violation of the Anti-Deficiency Act to spend money in an unauthorized manner. You could have

all the training bucks in the world in your back pocket, but if you couldn't associate it with an authorized mission for the Guard under Title 32, you have committed a violation of the Anti-Deficiency Act—and Congress is very jealous of that. They tell us, “Look, if we authorize and appropriate money for you to go drive this tank for a war fighting mission, and you use this money to go and save people downtown in a flood, you have misappropriated funds. It is like stealing. You can't do it.”

The reasons we have those rules, of course, is to keep control of the military. That's why those rules are there. That's why the National Guard is in a constitutionally embedded state militia status—because the United States has an abiding fear of the regular Army. There is a gut reaction among Americans that goes back to the British Quartering Acts that says “we're not going to use the regular Army in domestic operations because we, in our federal republic democracy, fear that they will misbehave”.

The most frequently re-published paper that ever appeared in *Parameters* (a fine professional publication emanating from this very War College) was a piece called “The Coup of 2020.” Its premise was that the Department of Defense, and the country with it, had irreversibly traveled the “slippery slope” to military authoritarianism that began with the regular military taking over domestic missions within the United States in the name of “efficiencies.” The military, itself, became a victim of its own successes, unabated by civilian leadership, and simply, unintentionally, finds that it is in control.

You think it sounds a bit far-fetched? Well, first of all, let me recommend it to your reading; more than one career officer has found the depiction disconcerting. And then I would suggest that we apply the lessons of “The Coup” to what we saw in the after action reports of Hurricane Andrew in Florida, where there was heavy criticism of the American regular military force's “over-involvement.” The criticism was unfair, frankly; on the one hand you had

accusations of over-involvement—on the other hand there were people equally incensed over the way the military terminated their involvement. What occurred was that you had a certain level of services established from the regular military (the 10th Mountain Division). When they pulled out, services dropped precipitously, because civilian authorities were not prepared to take them over and maintain. So the Army got blamed for dropping the support. We have learned how to do that better.

Now, how big is the Guard? I was always under the impression that most of the medical assets that were available in “the Army” were in the United States Army Reserve. But if you look at the numbers, the Guard really isn’t so far behind. I don’t believe they are structured as usefully for domestic missions as the Reserves, and that may be why the Reserves and Guard are very close partners particularly in these respects.

Quite frankly, the perception truly is that if you are a soldier walking around in a community, most people don’t make the distinction between whether you are in the Guard or the Reserve. What’s more, on the local level, the soldiers don’t make that much of a distinction either. You would be surprised how much informal exchange of assistance occurs. Perhaps quite illegally, but if you need a generator, believe me, you can get a generator out of a Reserve component armory without much problem, as long as you don’t ask anybody much higher up. A lot of things in our world work that way.

The Guard is forward deployed and the Reserve is forward deployed, in a sense that if CONUS Territorial Security is the battleground of the future, these troops are out there and they are well connected within the community.

Let me tell you a little bit about the biggest change that has occurred in the last six years with regard to consequence management in the states. The big difference is a thing called EMAC, the Emergency Management Assistance

Compact. Now, if you will go back and look at the events surrounding Hurricane Andrew, there were in effect plans for regional support between the states. The military in large numbers were sent to Homestead, Florida, from the Florida Guard, the Georgia Guard, and about 20,000 Federal troops that rotated through during that relief operation. That was before EMAC. With EMAC, which amounts to a treaty between states that has been ratified by the U.S. Congress, all issues surrounding things like liability and the command and control of National Guard troops from multiple states have been resolved. Basically what you have is a “handshake agreement,” like the one that exists within the Southeastern Governor’s Association, except agreement has been certified and approved by Congress. And, it is important to remember, the “compact” is not limited to purely military matters; it can, and does take into account certain civil capacities of the member states.

To see if these initiatives have improved the situation, all one has to do is examine the differences between Hurricane Andrew and Hurricane Floyd. Floyd was a much larger storm than Andrew, in all respects. While it did drop rapidly from a Category 5 hurricane once it came ashore, it affected more states, more people than did Andrew. The largest mass evacuation in the history of the United States occurred because of Hurricane Floyd; almost 4 million people dislocated and moved, 2.5 million just in the Southern states. But look at the response to the Storm: instead of almost 20,000 active duty deployed after Hurricane Andrew, we deployed 202 active duty and 92 civilians. That’s it. I was in DOMS at the time, and we were pumping the information as far up the chain as we could. And to be honest, when you start saying there are less than 300 active duty folks involved, suddenly, it doesn’t sound like such a big operation. The difference was the EMAC. The Guard came in, mutually supportive from a number of states, and applied 12,191 guardsmen to accomplish the mission. It was basically a Guard response operation.

Now, did all of this come about because the Guard said, “Well it would be a good idea for us to do it.” No. Rather it was because DOD, in conjunction with the National Guard Bureau and the Reserves said, “We’ve got to have a better way to do this that is more efficient, saves money, and provides for the most appropriate use of the troops.” At the same time, following Hurricane Andrew, FEMA started to look at how it reimburses for costs, and found a way to reimburse the states for the cost of the deployment. The importance of all of this to our discussion today is that the same mechanisms that were utilized to respond to Hurricane Floyd would be used to respond to a CBRNE event.

A recent addition to the country’s consequence management capabilities is the National Guards Weapons of Mass Destruction Civil Support Teams (WMD-CSTs). This is the only military force that I know of in the United States that is tasked and funded by the Federal Government for a *domestic support mission*. When the concept for these teams was being developed, a lot of lawyers debated about whether this was part of the ‘slippery slope’ to the “Coups of 2020,” where you start having federal missions and federal funds supplied. But, whatever we thought and whatever you think of the WMD CSTs, they are very, very popular with the state governments. They are lining up and campaigning with their congressional representatives to get one of these. The original plan called for one of these teams in each of FEMA’s 10 regions. Then all of a sudden Congress came in outside of the budget and said, “Well, we are going to add 17 more”. And then they added five more than that. And I think someone mentioned today that North Carolina is falling on its sword to get a WMD CST unit.

The reason these units are so popular is because they are clear about what they do. They have got wonderful equipment—a fascinating communication suite. And, boy, you talk about using Federal money to train people...the way this thing is set up is there’s a nice rotation between

very highly trained first responders within the state system, and how they come through. If you have a nice, young Captain who is in the Captain slot, they can only stay there so long, and then they can go get a really fine job in the state system, and remain in the Guard as an additional asset when they outgrow their force prescribed force of 22 men. You haven't heard the last of these teams.

The last thing I would like to talk about is what I think of as a misperception about what how the military gets its job done in the civil support arena. When we come to a conference like this one, it is tempting to spend most of the time talking about high tech capabilities performed by high tech people. It's fun... I do it myself. But the bulk of what gets done by men and women in uniform is done by young people, 18-20 years of age, who are simply interested in serving their community, particularly when that community is in need. If we are doing our job, they are given a well-defined mission, for which they have been trained and exercised, and they do it. And that mission, for the most part, is *decidedly* "low tech." Primarily, these young people do three things: they deliver water, blue plastic, and ice. And they do it damn well. Now if you think about it, if you are thirsty and you have nothing to drink, someone who delivers you potable water is very important. If you are cold and you have no shelter, someone who gives you shelter—blue plastic—is also very important. If you have no means to preserve your food, someone who gives you ice is terribly important to you. And someone who can come and in a disciplined, organized fashion do the mundane unpacking of a "push package", put 14 pills in each little vial, and physically walk out and hand it to somebody, is an extremely important individual. That is what the Guard does. We provide large numbers of disciplined personnel who will do what they are told to do and organize well. And in a catastrophic situation, that is what the civilian community needs most of all.

I look forward to your questions afterwards. And I hope that you will now have a little better impression of the role of the National Guard.

**Colonel Joseph Robinson, USA
Directorate of Military Support
Department of the Army**

The Directorate of Military Support, DOMS, coordinates all of the military support to civil authorities within the Department of Defense. So, what does that mean? Well, in the car on the way up here, the issues that I was working on included the wonderful tropical depression Chantelle, western wildfires where we have a couple of battalions out, and eight air force aircraft out on flying missions to support the wildfires. We were working the Winter Olympics of 2002. I also worked on the World Bank IMF meeting that's going to happen in Washington D.C. at the end of this month. My boss, Major General Peter Chiarelli, is the Director of Military Support.

I am here to talk about the Army perspective on homeland security. It is a little bit more definition-based because there is some confusion that I see all the time. I deal with a lot of these terms and definitions daily. I think the value I actually offer is in answering the questions on what is happening tomorrow and today. But why are we doing this? And why do we do homeland security? It is because we have always done it. The Constitution and Title 10 say that the Army will provide for homeland security. It is pretty up front.

In the past, the Army has viewed homeland security missions by a whole flood of names. The Center for Military History has done a great deal of study on Army involvement in civil disturbances. Today, the Army is the executive agency for many types of events, which not only includes military assistance to civil disturbance and military support to civil disasters, but also includes animal eradication, postal problems and airlift of civilian casualties in a program call MAST. And we also analyze threats. The kinds of threats that we deal with are not all terrorism based. They are not all CBRNE based. We've got

vulnerabilities, and that is true. But I have spent a great deal of these last couple months working on power problems with the Department of Energy in California, studying the catastrophic effects that could happen in case of an outage based on too much power drawn in California. No terrorists involved, just a guy turning on his air conditioner and how this can affect things. And it feeds upon itself. Now I can bore you *ad nauseum* about how it works, but you can have a real catastrophe if you don't have electricity. It is not all terrorism based.

What kind of natural disasters do we deal with in support by the Department of Defense? We do a lot. It is part of our homeland security missions. Floods are the biggest thing. We've just had a huge amount of flooding in West Virginia, with a huge economic impact. The active component gave no support. The National Guard component through EMAC gave huge support. We've got tropical storms, we've got fires, we've got earthquakes, volcanoes... you name it. But all of that is part of homeland security.

Figure 5-5 contains the joint staff's proposed definitions for homeland security. You've got an overarching homeland security umbrella, and then homeland defense is a subset of that. And civil support is a subset. If you marry civil support and homeland defense together, you get homeland security. DOMS operates in the civil support world.

Figure 5-6 lists the Army's responsibilities for homeland security, and you notice at the top and the bottom you've got homeland defense issues and civil support issues. Now this all sounds like it is lined up and straight, and we have all got our acts together on it.

But inside the Army missions we've also got a few issues, listed in Figure 5-7. As many of the speakers have said here, there are some issues with the national structure, the national organization. How are the President and the Secretary of Defense going to organize this mission? There are questions and issues regarding the forces. Which forces are going to be used? Are they going to be trained, equipped,

Definitions for Homeland Security

Homeland Security: The prevention, pre-emption, and deterrence of and defense against aggression targeted at U.S. territory, sovereignty, domestic population, and infra-structure as well as the management of the consequences of such aggression and other domestic emergencies.

Homeland Defense: The protection of U.S. territory, domestic population, and critical infrastructure against military attacks emanating from outside the U.S. Defense missions include aerospace (military, air and space), land, maritime, chemical-biological-radiological-nuclear-high explosive (CBRNE), and critical infrastructure protection (CIP).

Civil Support: DoD support to U.S. civil authorities for natural and manmade domestic emergencies, civil disturbances, and designated law enforcement efforts. Support missions include crisis and consequence management, counter terrorism, border control,

Figure 5-5. Joint Staff Definitions for Homeland Security.

and missioned specifically for homeland security? I'll jump to the bottom bullet. It says, "Are we going to apportion forces?" Specifically, give units a number one mission of homeland security in the future.

These are issues that are unresolved, and they include the changing role of the Director of Military Support (DOMS). There is, once again, a major study recommending that the Director of Military Support needs to be moved somewhere else, because the person that decides on the joint missioning inside the Department of Defense is the Secretary of the Army. So for instance, the Air Force aircraft that we've got spraying retardant on fires right now, was directed by the Secretary of the Army. Coordinated with the joint staff, the order was issued through DOMS. He sent out the order, not the joint staff. They knew what was going on. They were walking hand in hand with us the whole time. So there is a thought that says, "Well hey, let's move this function somewhere else so that the combatant commanders get

Army Responsibilities for Homeland Security

- Protecting the Nation's Sovereign Territory
- Conducting National Missile Defense
- Conducting Information Assurance
- Providing WMD Defense/Response
- Providing Civil Disturbance Response
- Providing Special Event Support

Figure 5-6. Army Responsibilities for Homeland Security.

their view from one place, not the DOMS.” That is an argument that comes up every couple of years.

In summary, we have always done homeland security; we are good at it. The Army is trained and ready for wartime missions, but we also respond to domestic support requirements all the time. We seek a broad all-hazards approach to things. One of the things that I deal with constantly with our interagency partners is that FEMA guys all look at life, at the state and local level as an all-hazards approach. You got a problem; we've got to fix it. It doesn't matter where that problem comes from. Inside the Department of Defense we don't. It's bifurcated, it goes either one way or the other, and we are looking for it at least from the definitional sense to be under an all-hazards view. I think the bottom line speaks the loudest. The Army is the force of choice.

Unresolved Army Homeland Security Issues

- Defining National Command Authorities Operational Architecture and Policy, Plans and Programs Supporting HLS
- Determination of forces required for HLS
- Changing role of DOMS

Figure 5-7. Unresolved Army HLS Issues.

Discussion

How do we prioritize the military assets to support surge requirements that may be required in consequence management for a major emergency?

DoD should only be involved with surge capacity domestically because if the capability exists in the civilian community, DoD should not otherwise be involved. We need units of various types that can be quickly deployed to reinforce and support the immediate needs of civilian first responders, and then when later deploying civilian organizations (such as the Veterans Health Administration) have responded and repositioned their resources to provide sustaining support, the military organizations can be phased out of the mission and returned to pre-emergency status. Supporting military units may be active or reserve component forces, but they must be able to quickly alert, stage, move and support when called. Probably the most important requirements for these units are that they conduct training for consequence management missions and are agile enough to deploy rapidly.

Additionally, in a major bio-medical pandemic there may be a longer-term sustainment requirement. In the event that there is a dangerous contagious situation with large numbers of patients who are being cared for in non-traditional facilities, the unique capabilities of a disciplined, self-contained military hospital unit may be of great value.

How do you activate medical personnel from the National Guard or Reserve without negatively impacting the civilian workplace or community in which those activated soldiers normally work?

We don't want to deplete the capabilities of a health care facility or local public safety force by activating large numbers of Reserve Component employees. The Army Reserve is actively working to identify where each Army

Reserve medical unit's personnel are employed. On the active side, JTF-Civil Support wants to draw responding units only from well outside the emergency area. State National Guard headquarters have long recognized the challenge of negatively impacting the immediately affected area and normally plan to draw much of their disaster relief from among units outside the impacted area. The regional National Guard Emergency Management Assistance Compacts provide a means of utilizing National Guard units from adjacent or nearby states.

If the mission of the National Guard and the Army Reserve changes to include a greater role in Homeland Security, will units still be able to recruit and retain qualified and motivated soldiers?

We don't perceive that many National Guard or Reserve units will ever have a purely domestic civil support mission. Some units will continue to have high-priority warfighting missions, while others will be general-purpose strategic reserve forces that could have domestic support as a secondary or perhaps even a primary mission. As long as these units receive challenging mission-oriented training for defined missions we expect that local units will be able to continue to attract recruits and retain trained soldiers.

Will local employer restrictions that prevent emergency response specialists from belonging to Guard or Reserve units hamper the reserve components from accomplishing Homeland Security missions?

No, the military services are key trainers of entry-level personnel for the emergency response and medical organizations in their communities. Some soldiers stay in reserve component units for multiple enlistments, but others leave the service and continue to use their military acquired skills in local private or governmental civilian employment. Most medical units have a good record of attracting ample numbers of qualified enlistees.

Chapter VI

Panel 6 - The Regional Commands and Consequence Management

Introduction.

The Department of Defense frequently becomes involved with consequence management overseas when Americans or United States facilities are impacted by disasters or terrorism and at times when assistance is requested by a host nation. Overseas US military forces are commanded through the Combatant Commanders of a regional command. United States government interagency consequence management abroad is always conducted at the direction of the ambassador. This panel reviewed consequence management from the perspectives of two of the DoD's regional commands as well as by the Department of State's Office of Counterterrorism.

**Colonel E.E. “Butch” Whitehead,
USA (Retired)
United States Central Command**

I am going to address the functional area of Consequence Management and how it fits as part of Cooperative Defense Initiatives (CDI) and the CENTCOM Consequence Management contingency plan. It is important to the Combatant Commander to have the threat identified and to understand what the threat is because that drives how the command is going to be organized, equipped, and trained to handle its mission. So we will talk about the Cooperative Defense Initiative, goals and endstates, who the CDI partners are, how we are organized to do all of this, and our way ahead. And look at the functional area of Consequence Management, its focus, our strategy, and the command, control, and coordination structure that the Gulf States are trying to put into place. I would also like to describe for you the Combatant Commander’s consequence management structure to handle a CM incident in the area.

The quadrennial defense review of 1997 said that the threat or use of chemical or biological warfare (CBW) is a likely condition of future warfare and that DoD should institutionalize its counter-proliferation efforts to make counter-proliferation an organizing principle in every facet of its military activity. Counter-proliferation must be set into policy and written into war plans. We must ensure that we get the right type of equipment and develop the doctrine and manning, and train and exercise to a standard. And not only is CBW a likely condition of future warfare, we will fight future wars with our allies and our coalition partners. We should therefore institutionalize counter-proliferation and encourage our allies and coalition partners to train, equip and prepare their forces to operate with us under NBC conditions. We currently have counter-proliferation programs with NATO, Northeast Asia, Japan, and South Korea. In the Gulf and the North Red Sea regions the

Cooperative Defense Initiative (CDI) is our counter proliferation program.

How we look at the threat and how our coalition partners look at the threat do not always coincide. We have to, in some cases, convince them that there is a weapons of mass destruction (WMD) threat out there. Even though the WMD threat may not be aimed at them, a WMD incident is a possibility because of the proliferation of WMD regionally. A WMD incident or an accident would create an immense problem for them. For instance, if the incident took place in country A and you are downwind in country C or country B, you are going to have serious consequences even though you were not the intended target. This logic generally gets their attention.

While the threat of enemy use of WMD is serious, it may not be the greatest threat faced by forces and populations in the area of responsibility (AOR) where theater ballistic missiles may carry hundreds of kilograms of chemical agent. Petrochemical plants near urban areas usually process and store tons of toxic chemicals, some of which can be unstable and highly dangerous if not carefully controlled. A crisis could emerge at any time, whether from terrorist action or simple carelessness. We have also seen the threat from terrorist organizations that are constantly probing U.S. and host nation defenses for our weaknesses. The near simultaneous bombing of our east African embassies in Nairobi and Dar es Salaam is an example of how rapidly a crisis can overwhelm the local response capabilities.

More massive disasters such as the earthquakes in Turkey in August and November of 1999 overwhelmed all of Turkey's and the region's resources. Fortunately, worldwide assistance, including teams from Greece and Israel played a large relief role. Should these attacks and disasters ever include chemical or biological components, the consequence management challenge would be very dramatic.

So what is Cooperative Defense Initiative (CDI)?

A combined OSD and USCENTCOM counter-proliferation effort, conducted with the assistance of our coalition partners, to enhance deterrence against the use of chemical and biological weapons (CBW) in the Central Region and to assist our coalition partners to prepare their forces to operate and prevail in a CBW environment should deterrence fail.

Simply put, CDI is an effort to improve the force readiness of our coalition partners with respect to CBW. To make them more self-sufficient and self-reliant so that should we have to fight another war like Desert Storm, and it would be in a CBW environment, they would require less assets to take care of them; less of our assets, and be able to rely on their own capabilities. It is a force readiness and a war fighter issue. We have written a campaign plan for CDI. It was written and signed into being in May 2000. We have learned a lot though, in the past year, so it is currently under revision. And we are writing individual, specific country annexes to this campaign plan because there are different capabilities and resources available within each of these countries. Each country has decided to participate in CDI at a different level. We will get to the specific ends, ways, and means, if you will, as we prepare the individual country annexes.

Here is what we are doing in CDI: Assessing capabilities, and where asked, helping to develop doctrine, helping to train troops in chem-bio defense, and increasing our bilateral exercises. For example, exercise NEON FALCON that was recently conducted with U.S. and Bahraini forces had a significant CBW scenario play as a part of that exercise.

These actions will improve our ability to operate with our coalition forces and ultimately to prevail in a WMD environment, and help reduce their vulnerability to a WMD attack or coercion. CDI will advance the ability of regional

partners to protect their own forces, facilities, and population centers, and to improve military cooperation and interoperability among coalition partners as well as with us.

We also expect that the regional coalition partners and their adversaries will be dissuaded from acquiring or using WMD. This is tough because once someone has that capability I don't know how you get it back. Ultimately, a desired end state is deterrence of the use of WMD. But ultimately for the war fighter, he has got to be prepared to prevail in the WMD environment should he have to engage in conflict.

Who are the players? The states of the Gulf Cooperation Council, Jordan, and Egypt make up our CDI partners. Military to military contact occurs on three levels. The annual meetings we have with our partners alternate from year to year either in the host nation or back here in Washington D.C. The joint military committee, the Military Cooperative Council, or in the case of Saudi Arabia, the Joint Planning Committee, and these meetings are led by OSD. They normally have at least two sub-committees. A Mil-to-Mil sub-committee and a Security Assistance sub-committee, and in some of these we have a third sub-committee, a CDI sub-committee because we have a robust enough CDI program with them to have that. This is the level that we integrate CDI policy and the mil-to-mil relationships with our CDI partners. Basically, what we do is report out to that level what we have accomplished over the past year and outline for them what our next steps are going to be.

The next level down is the establishment of a bilateral Cooperative Defense Initiative Combined Steering Committee between U.S. Central Command and the host nation. At the war fighting level, this is where we link our war fighting engagement priorities. We meet as required, but at least on an annual basis, and this is the body that provides guidance, oversight, synchronization and coordination of what is happening down here with

functional and technical working groups. And this is where the actual enhancement of the host nation's capabilities takes place. There are five functional areas:

Functional Areas of CDI

- C4I, interoperability, and shared early warning
- Theater air and missile defense, active defense.
- NBC passive defense.
- Medical counter measures
- Consequence Management

Figure 6-1. Functional Areas of the Cooperative Defense Initiative.

All of these are linked. In particular, as we talk about consequence management, we look at having a medical countermeasures capability and an NBC passive defense capability because in order to do consequence management you have got to have those capabilities. The countries can participate in as many of these as they like. Some participate in all, such as Kuwait right now. Theater Air and Missile Defense, Active Defense is a pretty high dollar item to participate in. You have got to have the capability to shoot down incoming missiles. C4I, interoperability, and shared early warning is the underpinning because interoperability and communications make all of this work. We want to be able to provide shared early warning to these countries, so they can do a couple of things. If they have theater air and missile defense capability, warning, queuing of their systems of the incoming missile, maybe they can engage it and shoot it down. At the very least, they can warn their forces to take adequate protection.

How are we organized? We heard Dr. Hamre last night talk about horizontal problems in vertical functional areas

and that is what you have with most staffs. If you take these five functional working groups and try to put them into any one functional staff or special staff it just doesn't fit. In order to make this work, the CDI Steering Committee is co-chaired by the Deputy J3 and the Deputy J5. I am the Deputy of that Steering Committee, and I am the one that gets to try to pull it all together on their behalf. These are the same five functional working groups we were talking about. And on a day-to-day basis, they work for either a functional staff or a special staff at Central Command headquarters. As far as CDI goes, this is the governing body that reports directly to the Deputy Combatant Commander who gives them guidance and synchronizes their activities. We coordinate directly with OSD staff—the Office of Strategy and Threat Reduction, who I think is getting ready to become International Security Policy. It will be pretty much the same folks that we deal with, the Counter Proliferation folks and that organization. And we coordinate directly with Department of State with regards to our Consequence Management Program. So that is how we are organized. It is a good model, and it works quite well.

Now I want to discuss the specifics of the Consequence Management Engagement program. In the near term, we are trying to enhance our host nation's consequence management response readiness capability by identifying and optimizing the use of their own resources, and developing a coordinated national CM response mechanism within their own country to synchronize their civilian and military efforts. Our long-term goal is to establish a regional consequence management response capability. On an annual basis, we conduct an exercise called EAGLE RESOLVE. We just completed EAGLE RESOLVE 01 in Bahrain. The goal is for them to be able to handle a WMD peacetime incident, natural disasters, and of course to be able to be interoperable with us in a wartime situation.

Our CM engagement strategy. Our training focus is at the strategic, operational, and tactical levels. Our ultimate goal is wartime coalition interoperability. In the bilateral

phase our activities develop modular consequence management capabilities. At the strategic, operational, and tactical level, we begin by making an initial assessment of a host nation's current capabilities and an assessment of its medical countermeasures capability. We use Soldier and Biological Chemical Command, SBCCOM, to go in and do a detailed assessment of NBC passive defense capabilities, looking at individual protective equipment and any type of monitoring equipment that they may have. And SBCCOM will render a very detailed report and give it to the country. Recently they did that in Bahrain, and Bahrain then purchased about \$1.5 million of individual protective equipment. We are not out there trying to sell stuff, but it is nice. It helps interoperability if they do buy U.S. Often when SBCCOM goes in and does an assessment of NBC protective equipment, what they find out is that in just about every country in the world that has made a mask or a protective suit, their equipment has exceeded its shelf life and is not useable.

Department of State Counter Terrorism (DOS/CT) conducts its WMD policy workshop at the minister level. CENTCOM then, on a mil-to-mil basis, comes in and does a table top exercise called INITIAL RESPONSE, which lays out how the military supports the Department of State or the civil part of this. And then DOS-ATA (Department of State Antiterrorism Assistance) comes in and does their First Responder Training. That is the order we would like to have it handled. In reality, scheduling conflicts may cause the training to happen in any order.

But they all need to happen before we get to the culminating part of the bilateral phase—the host nation led tabletop exercise. They take all of this and put it together and conduct an exercise called IMMEDIATE RESPONSE. Once they have done that, that country then has some stake in response capability.

Finally we have the sustainment or multilateral phase. As you know, in our region most everything that we are

doing is on bilateral agreements. There are no multilateral agreements out there yet. And so we really haven't established what this looks like. We have had two countries go through this, Kuwait and Jordan. I go to Jordan next month and one of the things we will do is conduct a CDI Program Review. One of the things that we will work out is how this sustained phase will look, because what we don't want to happen is for them to lose the proficiency that they have already gained by going through this program. We believe we have been successful in assisting and enhancing the CDI partner nation's capabilities and understanding of consequence management operations.

CDI partners in the Gulf, and most significantly Bahrain, have begun to discuss the importance of developing regional command, control, and coordination concepts for consequence management. The host nation's command control and coordination concept methodology is similar to the U.S. for the initial response. An incident occurs, and first responders establish an on-scene commander and tactical level operation center. The state exercises its national CM operation center that contains a regional CM coordination cell. Above it all is a regional CM coordination council. This is what we have really been trying to get at. During the last EAGLE RESOLVE, USCENTCOM's annual multilateral exercise, we exercised a regional CM coordination council—call it a center, call it a cell, but anyway, it is coordination. It is not command and control. What we want to have up there is some type of a database and some liaisons that then come from this regional CM coordination cell to support the national consequence management operations center. This has been a foreign concept up until the last couple of years. We will go ahead for EAGLE RESOLVE 2002 that will be conducted in Qatar, and we will expand on this model.

I would like to move on to the CONPLAN. USCENTCOM's CONPLAN to respond to chemical, biological, radiological, or nuclear incidents is a stand-alone functional contingency plan. The CONPLAN may be

executed without reference to other plans or in reaction to humanitarian assistance, counter proliferation, counter terrorism, or in conjunction with one of the major theater of war plans. The bottom line is that the host nation is ultimately responsible for a consequence management event—the event that occurs in their country—and of course the Department of State is the lead Federal agency.

Here's how the USCENTCOM Consequence Management CONPLAN is structured:

- Phase 1: Initial Assessment
- Phase 2: Immediate Assistance
- Phase 3: Extended Operations
- Phase 4: Disengagement and Handover
- Phase 5: Redeployment

Phase 1. Upon receipt of full notification of a CM incident USCENTCOM will activate the Crisis Action Team, which is located in Tampa, Florida. The USCENTCOM Crisis Survey and Assessment Team, the CSAT, would deploy to provide the same critical information and an immediate assessment of the situation. The CSAT may already be in theater. We anticipate that USSOCCENT will deploy a JSOTF, a joint special operation task force as part of the initial response force. Depending on the nature of the Consequence Management incident, USCENTCOM may designate a JTF. USCINCCENT has designated USMARCENT, his Marine Component Commander, to have this responsibility. It does not mean that one of the other components could not be a JTF.

Critical action is the link up of the CSAT with the embassy team and the DOS Consequence Management Support Team (CMST). In-theater forces may also respond based on the nature of the consequence management incident and the time required for additional forces to deploy. End state of Phase I is a complete estimate of the consequence management incident including initial public affairs, public affairs guidance, plan formulation,

identifying and requesting forces, and initial criteria for disengagement.

Phase 2: During this phase the CSAT and JSOTF-Consequence Management coordinate for initial disaster mitigation with the DOS CMST. Relationships are established with the NGOs, PVOs, and other international organizations with a focus on life-saving assistance to the host nation. End state is a mitigation of the initial effects of the incident and a clear definition of CBRN contaminants and requirements.

Phase 3: During this phase, contracting centers are established to assist in mitigation efforts and removal and disposal of contaminant debris. This includes synchronizing NGO, PVO, IO efforts with emergency support functions. ESFs are essential services and functions necessary to manage and mitigate the effects of WMD incidents such as transportation, communications, public works, engineering, fire fighting, information operations, mass care, resource support, health and medical support, urban search and rescue, hazardous material, food, and energy. End state in Phase 3 is the identification of long-term forces or providers and the integration of host nation, coalition, U.S. Government agencies, and NGO, PVO, and IO efforts.

Phase 4: Disengagement occurs after all forces and providers are integrated into coordinated relief effort and clearly established measures of effectiveness are achieved. USCENTCOM disengagement efforts are coordinated with the host nation and approved by the American Embassy. Additional coordination is required with contractors, other GCC Nations, and NGO, PVO and international organizations.

Phase 5: Key assets such as Civil Affairs will remain to facilitate critical emergency support functions in returning to pre-incident normalcy.

CONPLAN end state is the mitigation to an acceptable level that meets host nation standards and a return to normalcy.

Figure 6-2 is a depiction of a notional Joint Task Force Consequence Management, and the nature of the CM incident has resulted in USCINCCENT decision to establish a JTF and not a JSOTF in this particular case. These functional areas are designed to tie in with the emergency support functions essential to establishing host nation disaster coping mechanisms. As a general guideline a JTF-CM will be established for incidents that are expected to last beyond 30 days, and as mentioned in our AOR, USMARCENT has the lead for that.

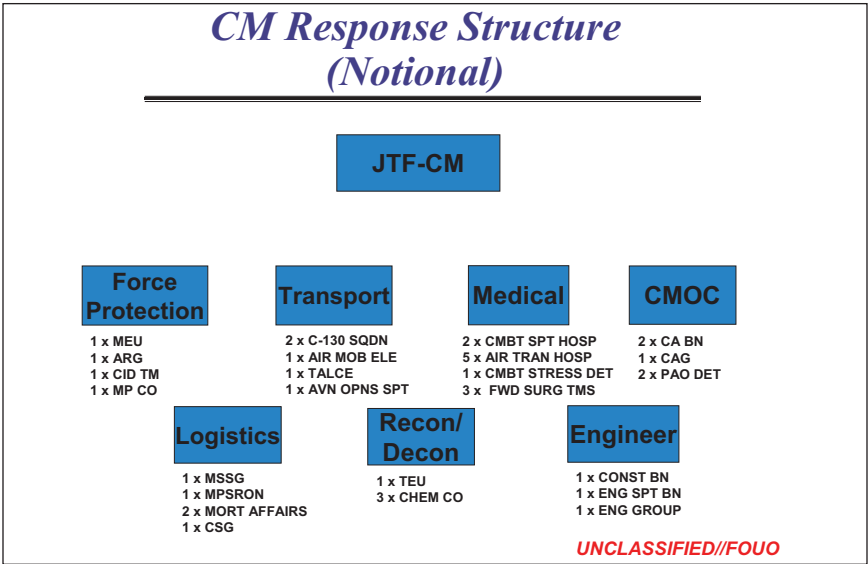


Figure 6-2. Joint Task Force Consequence Management (JTF-CM)

That concludes my presentation. Thank you very much.

Postscript: Since the terrorist attack on the U.S. on 11 September 2001, there appears to be renewed interest by some of our Cooperative Defense Initiative partners in developing a national Consequence Management response architecture which can effectively and rapidly respond, not

only to a Weapons of Mass Destruction incident, but also to natural or man-made disasters. During the coming year we will continue to work with those coalition partners on a bilateral basis to ensure the development of such a capability.

Lieutenant Colonel Arthur Bland, USA
I Corps
United States Army

I would like to thank CSIS and the folks here at the War College for putting this on. And secondly, for inviting me as what I like to refer to as a 'dirty boot operator' to come and talk to you all. I am actually an operator at the JTF level. I'd like to lay out for you some of the things that we have found as a JTF—some of the things that we have found that work well, and some of the things that we have found that haven't worked so well.

First Corps took over the mission as the U.S. Pacific Command (PACOM) standing JTF for Consequence Management on 1 October 2000. Since then we have been engaged in two tabletop exercises hosted by the State Department in our area of responsibility, one with Malaysia and another with Thailand. Similarly, we have also been involved in two Consequence Management exercises. I wish I could say they were the main focus of the exercise, but of course they were not—that was *Yama Sakura* in Japan, where we actually played a chemical incident, and COBRA GOLD in Thailand where we did a biological Consequence Management exercise. We did both of these exercises in cooperation with the host nations, and we are finding that more and more nations in the PACOM AOR with whom we have exercise agreements are getting interested in addressing Consequence Management in their scenarios. These could be a terrorist WMD incident or a catastrophic incident by natural disaster. And depending on what country it is, they may be more concerned about natural disasters than they are terrorist activities.

In I Corps there really is no standing force structure for consequence management. It is tailored to meet mission requirements. The headquarters that is there is obviously a standing headquarters. But when I say there is no standing force structure, I don't mean to indicate that there is not a

command element in a standing augmentation to that command element that would be activated if the JTF were stood up. In terms of PACOM, when our JTF is stood up and deployed, there is a standing augmentee packet, a digifax packet, if you will, that falls in on our corps headquarters and gives us the ability to have a multi-service functionality and a multi-service planning capability.

I would like to comment on some of the things we have considered as being part of the JTF. I call these my “basic facts” that we use during our planning effort, either in country or back in the United States. I say “in country” because in both of the exercises we have done, we were already in the country that was involved in the consequence management when the incident occurred. So we didn’t have to deploy from the United States. We have never done a cold start out of Fort Lewis specifically for consequence management. We understand that we are not likely to be the first responders on-site to the countries we would support. And sometimes, we may not even be the first choice. The countries we are concerned with have a lot of bilateral agreements for consequence management support—a lot of mutual support agreements that exist between some of these countries. We may only be called in if and when those agreements fall apart. We also understand very clearly that we are not in charge. Let me say that again: We are not in charge. At the operator level we’ve come to grips with that reality....but for a flag officer, it’s a little harder to do.

We also understand that we do not control forces or assets to necessarily have the right things—or the right amount of things—to mitigate whatever crisis we are there to mitigate. We don’t necessarily own all of the engineering assets we may need. We may also not necessarily own all of the chemical assets that we may need. So it becomes very critical to us that we are getting all of the analytical feeds, all of the cooperation, all of the State Department inputs to let us know beforehand—maybe even before we start our deployment process. And we need to know how to tailor our

force. Because obviously we are going to want to tailor our force to first put in those assets that we need to begin to mitigate the situation.

Time and distance are big issues for us. Unless we happen to be getting forces from other assets that reside in theater out of Korea or Japan or Okinawa, it will probably take 72 to 96 hours to bring active force assets from the United States. If it is a reserve force, such as getting chemical forces out of the United States, we could be looking as long as two weeks to try to get them to where they are needed. We don't see us as deploying on a chemical event to do initial monitoring, or to do the initial survey pieces of it. We see us being more involved in the "secondary events"—casualty assistance, medical support, and/or clean up. Of course, part of the clean up will include an ongoing monitoring effort.

One of the things I think we need to remember when we start answering questions like "What do we need to make sure we do the right things, and do them right, when we arrive on station?" will have to do with public awareness. Your public affairs officer (PAO) plays a big part in this. He (or she) needs to lash up and tie-in very closely with both the State Department to coordinate, collaborate, and generally help with what they are putting out...and the host nation's information mechanism. I know it seems a bit obvious to say we need to let the host nation know that "We are here to help your government do its stuff. We are not here to take over. We are not here to run things. We are here to help at the request of your government." But this is not always obvious when the U.S. rolls in. So the PAO can be huge here.

One big thing that we have noticed with PAO and foreign countries is that the foreign press always wants to talk to the subject matter experts. If it is a medical issue, they want to talk to the doctors. If it is a chemical issue, they want to talk to the chemical officer. If it is a fire issue, of course they want to talk to the engineers. So depending on what type of a crisis it is, you need to make sure that you open your

communications to everybody, that you have a consolidated one voice approach, and that you let the subject matter experts talk.

The task force gets there probably just about the same time as the special forces guys get into country, and they must rapidly establish a Civil-Military Operations Center—a CMOC. That is very critical because that is your coordination, your tying together of your NGOs and your PVOs (both of whom by the way, will probably be on the ground far earlier than you will be, and will have a better idea of the situation). The one thing that we also realized is that although the CMOC is an operational level organization, we also needed an organization that represented the policy maker levels. The deputy chief of mission, the general grade officer on site, and the host nation ministerial folks must meet to establish policies pursuant to how to carry out the mission requirements and also to add some legitimacy to the missions that are being carried out by the lower level CMOCs.

One of the things that you have to remember is to stay in your lane. This gets very hard to do, especially when you are there and you're transitioning out of a war fighting role or a peace enforcement role in the country and moving into a consequence management role. With a mission change, you now have to divorce yourself from the peace enforcement or the peacekeeping role and put yourself into the consequence management role, and not try to flip-flop back and forth.

Coordination is very important. No, it's absolutely key and it needs to start even before you get into the country. You need to be able to link up electronically, telephonically, flag signals, semaphore, smoke signals or however you can with the folks that are in country because you need to milk them down for every piece of information that they've got. You need to start your coordination with them early on.

And then there's Support. It is important that you establish support relationships very early on in the process, because you need to know what you need to bring with you to

support yourself and to sustain yourself versus what you're going to be able to get or what the host nation can provide you.

Timing is important, too. Because of the distances involved, the span to get over, and the amount of assets that are needed to transport the mitigation forces, you need to be able to design your Time Phased Force Deployment Data (TPFDD) and front load your TPFDD with your operations forces...not your support forces. So there again it is critical to get that information from the country to know what they want, how much they want and when they want it so that you can build the necessary flows to get that.

Finally, the last item that I want to touch on is End State. It is imperative when you go in to know what the conditions are for your exit. It is critical that everybody agrees what those conditions are—that the consequence management folks agree, the State Department agrees, the Ambassador agrees, and the host nation agrees. It is imperative that everybody knows that when you get to a certain level of mitigation, you are going to turn it back over to the nation and you are going to start your re-deployment. Now, is that to say that situations can't change that may cause you to have to stay longer? No. But then that's a new mission.

Mr. Sam Brinkley
Office of the Coordinator for Counterterrorism
United States Department of State

I'm going to talk about the international piece of terrorism. We've talked about a number of things: the threat, the trends, and who is in charge. I want to quickly go over some threats and trends that you have seen, but I've tried to put it in a little different focus. Then I'm going to review our policy tenets. Sometimes we forget where this all started.

While we've had a number of issues associated with counter-proliferation, non-proliferation, and nukes during the Cold War period, the bottom line is we're in this room today because of the T word. We need to always remember we're doing this because of terrorism. We have terrorists that have tried and are attempting to obtain the capability to use weapons of mass destruction in some order. That's the origin of this whole process that started in 1996, by legislation enacted in 1995.

I want to talk a little bit about our office. We have to advertise what we do in the State Department in Counterterrorism and what we think we're going to do. Then when we get into the tool kit, it gives us some idea of how we're trying to engage and work the issue and finally end up with response. It's hard—I have to talk a little bit about the tool kit because we're trying to prepare the battlefield, in fact, so we don't have to respond. We talk a lot about DoD having to go here and go there. There are other alternatives. The event may not happen at all because it is deterred. Or if an event occurs, the host nation is better prepared, or they have a regional capability, and we don't go.

Finally we know that we have three documents that lead what we're trying to do here in this regard. We have PDD-39 (US Policy on Counterterrorism) and PDD-62 (Combating Terrorism). Now, often left out of that list, when we talk consequence management is PDD-56 (Managing Complex Contingencies), which says that you have to have an exit

strategy and a plan for complex contingencies as you go in. So when I put on my foreign emergency support team hat as a consequence management coordinator when I deploy overseas, the answer is keeping in mind we are always thinking first and foremost of how to get out. One, don't bring anything I don't need to bring just because it makes me feel good. Secondly, bring what I need to bring in a timely manner so it makes a difference. And third, how do I get out of here, and what is my exit strategy? Those are the three principles of our overseas deployment for consequence management that we focus on.

When you get down to the bottom line, we have a number of terrorists and with these are the international terrorists organizations. What is lost on the domestic threat side is that a number of these organizations live in America. It's not just the cults and white supremacists and apocalyptic groups that are homegrown. We have foreign terrorists here because of the way our Constitution allows people to come and go and do their thing. Even though they're on the foreign terrorist organization list—there are 28 of them on it—we can control them on a foreign terrorist organization (FTO) list because we have visa control, and most importantly they can live here as long as they don't fundraise. That's a unilateral requirement.

We need to not lose sight that our domestic threat has deep ties to the international organizations that are trying to do bad things to us overseas. And most likely they will do it overseas because it's easier to do it there. That's the point we can't lose sight of. Where is the most likely place that U.S. citizens and U.S. interests will be hit? We have to keep working this issue of most likely and most probable, versus worse case. It is a tough, tough thing to do, but it's something that we have to deal with everyday.

We still have state sponsors. Let's not get all balled up in al-Qaeda or Usama bin Ladin. First, it's al-Qaeda. I believe that Usama bin Ladin is nothing but the Chief Financial Officer. He's just the money guy. Usama bin Laden—he's

just one person. You go kill him tomorrow, al-Qaeda doesn't go away. Don't lose sight of this. Everybody keeps talking about the Usama bin Laden. Well, okay, he's not 10-foot tall, he's 6 foot 5. He's not that big, just one person.

But we also have state sponsors still out there, and those of you who have not already done so need to take the opportunity to read *Patterns of Global Terrorism*. It is available on the Internet. The latest one just came out 1 April 2001. (<http://www.state.gov/s/ct/rls/pgtrpt/2000/>) The one last year—the '99 book—set the new strategy in place and the 2000 sort of continues down this path, which I'll go over in a minute. Iran is still our number one state sponsor of terrorism. It's still in the business, so it's not all al-Qaeda. We have a number of organizations out there that will do things against our interest.

Today's terrorist is linked to others with similar ideology. Afghan alumni, we trained them. We did good work back in those days and they're out there and they know how we operate. They have now changed and would like us to get out of the Middle East. They have the ability to do transit work throughout countries that don't have good border controls, who will turn their blind eye to them.

These terrorists are part of loose international networks. The CIA terms this a network of networks. These are loosely affiliated groups that have some common goals; and when it's in their best interests group by group to be affiliated, then they will link up. Sometimes they're not directed at all.

Today's terrorist has global reach. It's global in nature. It means that we must now engage and deal with countries that we have never had to deal with before. When you had seven state sponsorships, we sort of did that isolation containment thing around those folks and we had allies and friends. But now we have people participating in this in new countries. Secondly, post Cold War there are more independent countries out there and some of them are not very strong governments. So, they've got some areas that are fertile for terrorists.

State sponsorship is on the downswing. I believe that is because we have done pretty well with maintaining the four tenets of our terrorism policy that were officially put down in NSDD-207 in 1986 following the 1985 Vice President Bush Terrorism Commission.

Funding sources have shifted. You have to have money to make this thing work. You have to buy bombs, buy food and have training camps, so where do they get the funds? Track the money. State sponsorship is on the decline so narco-trafficking comes up. They have to get money. You have to do NGOs as fronts and fundraising. There are a number of issues that we have to think about. Where are the new sources of funding? We need to have a different set of tools today to try to identify and go after those than we did previously. Of course, in the case of Usama bin Ladin, they're self-financing with their own private funds.

Finally, we have seen the trend to go to more soft targets and become less discriminate on civilian casualties. The perfect example of this is the two embassies in East Africa.

WMD is a major concern because we have seen a number of our foreign terrorist organizations try to get the capability. Remember though, that not every one of the 28 is doing it. Even those that are, are not trying to get the full rank: chemical, biological, radiological, nuclear. In the end, the AK47, the car bomb and the suicide bomber are still the threat weapons of choice. This problem is much more difficult than people try to give it credit for, and they're having some difficulty getting there from here.

Four Tenets of US Counterterrorism policy:

In our office we believe that four "tenets of terrorism", laid down in NSDD-207 have had a major impact on the reduction of state sponsorship. Briefly, those tenants are:

- No concessions to terrorists
- Bring terrorists to justice!

- Isolate and pressure state sponsors to make them change their behavior
- Bolster the counterterrorism capabilities of countries that wish to work with us and which require assistance

These four tenets of U.S. Counterterrorism Policy were set down in NSDD-207, and our government has not changed its policy. In our office we believe that this policy has had a major impact on the reduction of state sponsorship. As we work these processes, using the international community and sanctions and international conventions and UN resolutions and helping our friends and allies and working cooperatively together and building skill sets out there with our DSATA program and other things, we have in fact made the cost of being a state sponsor too high. It wasn't fast, but we have a number of countries that are trying to get off the list. I guess that proof is in the pudding.

State's Counterterrorism Mission

- *Pressure* states to end support for terrorism.
- *Disrupt* terrorist activities to prevent attacks on US interests.
- *Deny* sanctuary to terrorist groups that threaten US interests.
- *Bolster* U.S. and foreign counter-terrorism and anti-terrorism capabilities.

Figure 6-3. Department of States Countervailing Strategy Against Terrorism.

This is what we're trying to do. Obviously, we're trying to get rid of and reduce terrorism. We've always had a part of our office that said the word ought to be *eliminated*. I said, "Never going to happen." Might as well not use that term. That's setting yourself up for failure, to eliminate terrorism. But we would obviously try to get it down as low as possible. I don't think it's a zero risk game at this point in time. We

have some things that we're trying to do in the way of pressure, disrupt, deny and bolster. Those are the nominative terms that we have in what we're trying to move forward.

Counterterrorism Objective: "Drain the Swamp"

- Attack the Infrastructure where terrorists plan, train, raise funds, travel, and prepare their operations.
- Maximize Interagency Efforts.
 - Diplomacy
 - Political and Economic Pressure
 - Training/Technical Support
 - Law Enforcement
 - Intel Collection
 - Military Force

Figure 6-4. Draining the Swamp.

Our objective is to "Drain the Swamp." This makes it easier for me who comes from the mountains of North Carolina. I actually sort of understand what this is. But don't look at this as a waterbed where you push down the one side and the other side goes up. We're trying to let the water out of this thing and push down on all pieces. We are trying to build international cooperation and strengthen the political will of countries to fight terrorists and not let them live there. The other part is to take the money away from them and take their training camps away from them. We need to do everything that we possibly can do to make the cost of terrorism against U.S. interests and U.S. assets and U.S. citizens too high.

We can't leave any pieces unused. We've decided that we're not very proud about this. If you think of the State Department as just the pinkie-ring folks and drinking tea and crumpets, okay. We don't think about it that way in our office. We'll do diplomacy. I can assure you that we'll do

whatever it takes to try to get people to talk to us to improve their capabilities.

Anyway, these are the things that we have available to us. Most importantly, from the U.S. government perspective, the State Department is the lead federal agency for the international fight against terrorism and our response for both crisis and consequence management. State Department weenies are not doing this, okay. It takes the entire interagency. It's just that simple. It takes FBI people and CIA people and FEMA people and Office of Foreign Disaster Assistance people and Public Health Service people and our CINC reps and our DoD folks and our special-ops guys. It takes everybody who can bring something to the table to help fight the problem and try to mitigate it post-event. First, we're trying to not have it happen. Second, when it's all over we have to make sure that we bring the right stuff at the right time to make a difference.

Now, why are we doing this? One reason: Diplomacy 101. Every country does whatever it does in its own perceived self-interest, period. We're not doing this because we just have this big deep-seated altruism. We need to understand, we're doing this to protect Americans and protect our interests. We'll just do whatever it takes, and we're pretty straightforward about it. When I engage those countries in our WMD seminar, I remind them that if their country has a WMD incident, consequence management is their problem. Sorry. You want us to work together, fine. If you don't, fine. They actually understand that; it's their country.

Within Programs and Resources at state we have recently constructed the WMD Preparedness Program. We've worked very closely in building that in concert with the regional Combatant Commanders for several reasons. One is not to confuse the host nations. Secondly, don't overwhelm our embassies with a bunch of people from the interagency running around confusing the hell out of everybody. That's what happens if we're not careful. So we've worked very closely with both PACOM and CENTCOM and

State Department's Role In Countering Terrorism:

- Diplomacy is imperative to increasing international will to fight terrorism.
- Political and Economic pressure, unilateral and multilateral, is key to isolating terrorist states and groups.
- CT assistance to key front line states enables them to contain movement, planning, and operation of terrorists that threaten US interests

Figure 6-5. State Department Role in Countering Terrorism.

we just started working very closely with SOUTHCOM on dealing with the issues of WMD preparedness.

Then we have the Terrorist Interdiction Program. Hardware and software, put it into airports and the host nation runs it; its database is built with bad guys and bad folks who might transit. We're focusing on transit countries, and trying to arrest them and identify them and bring them to justice or to have them go some place else. The bottom line: if nothing else, go some place else and we'll buy ourselves a few more days before they do another event.

Finally, probably the crown jewel is the Anti-terrorism Assistance Program. The actual funding comes to the Coordinator for Counter-terrorism from Foreign Operations. But on a day-to-day basis, it's managed by diplomatic security anti-terrorism assistance program. When we talk about bolstering host nations' capabilities, this is a program that works with the law enforcement, security officials and a broad range of capabilities. Everything from SWAT, K-9 and forensics cooperate to build host nations' capabilities. So they actually have the skill sets to fight terrorism, and we've really worked hard to try to reinforce the rule of law.

On the response, we'll talk about FEST (Foreign Emergency Support Team). Of course, those of you who are

familiar with the technical support working group on Research and Development for counter-terrorism, we chair that out of our office. We only go because it is in our interest to do so. Most importantly, we only go if we're asked. This is not a non-permissive thing. So from that perspective, the host nation has to accept us and has to want us there.

I'd like to point out one part of the U.S. Government international crisis response process—the foreign emergency support team. That is the 4-hour string inter-agency group, with a dedicated airplane that will fly out of Andrews. With the East Africa bombings we had to put out two of them, and obviously they flew out to the USS Cole. We put partial ones out to Ecuador in the hostage crisis down there. We put an interagency group into the Philippines during the Jeffrey Schilling hostage taking. So those of us that had the great opportunity to be forward deployed there for two weeks during millennium in Germany, we appreciate missing all the celebrations, watching them on TV. Those are the things that we do in our office for response.

The FEST is tasked organized. If it's a pure CT event, it's got a structure. If it's a post-blast event like in Nairobi or the USS Cole, it has a different structure. If it is a WMD event, it has yet another structure and has a portion of it that is consequence management. We're limited by the number of seats on the airplane; and a lot of times as we get ready to leave out of Andrews, we'll be figuring out who goes and who's not going to go based upon the information that flows in. We'll do that on the ramp at Andrews: "You're going. Nope, you're not going. Okay, you're going to go. We'll call you if we need you."

A decision making group meets when the FEST is alerted for deployment. Those of you who are familiar with that group at the interagency, at the National Security Council, it's the Counter-terrorism Security Group. Better known as the CSG. The CSG generally will meet if something happens. Even in the middle of the night, within an hour or two they'll go to secure video teleconferencing.

Most of them have secure telephones in their homes. Whatever it takes for them to start sharing the information. It is chaired by the NSC, but State is on it, FBI, the J3, SOLIC, CTC from the agency.

The ambassador is in charge of the U.S. Government response within the host nation. That's what we always have to remember. He's the President's representative. It sometimes makes other people quite nervous about that because they're State Department people. Fifty percent of them are politically appointees or whatever. The answer is they're still in charge because the President has written them a letter and said, "You're in charge." Their credentials are presented to the host government and they say "This is my personal representative in your country." They are responsible for U.S. Government actions in the country.

There is a very narrow thing where the Combatant Commander has the ability to project unilateral actions to protect his war fighting capability. But even then the Combatant Commander has to report that very quickly to the President, which inputs it into the principals and the NSC interagency chain. That's the process that we have to worry about. In the end in a permissive environment of consequence management, we have got to insure that the Combatant Commander and the host nation and the Ambassador are all on the same sheet of music.

We have actually written a draft plan called the International Incident Response Plan for a WMD or WMD-like event. It's in our own self-interest to respond quickly.

We have two ways to get out of town. The Consequence Management Support Team. They're not on a string. They have many of the same interagency folks on it that we have, but the current position that if it's not FEST, we might send a CMST (Consequence Management Support Team) versus the FEST. If we know it's going to last longer than a couple of weeks or so and the FEST is deployed, then I would probably call the CMST forward and relieve us in place. The FEST only have 24/7 capability for a limited amount of time.

At some point in time, we're probably going to call additional folks to reinforce us and sustain us or to replace us.

One last thing is that I want to talk specifically about is the Combatant Commanders and where they fit in. The FEST and the CMST are there to go assess the problem. As part of that, I want to talk a little bit about how we get out of here.

If we look at the lessons we've learned from our humanitarian assistance disaster relief efforts—one of the things that came out of that was to find a way to leverage the core competencies of the NGOs and PVOs that will respond to these types of events. We learned that offering the military's transportation capabilities to support the logistics requirements of the NGOs and PVOs was a good way to partner with them and to use our assets to help get them to do what we wanted them to do.

So, if you take that to the next step, the State Department also has an organization called the Office of Foreign Disaster Assistance, OFDA. For those of you who are not familiar with it, it is the FEMA for U.S. international relief operations. It's really a great outfit. I don't go anywhere without them because they carry the checkbook. They have instant money. It's amazing how OFDA can write a check to an NGO or PVO and asked them to go do something, and they'll go do it. Which means that the DoD or somebody else in the U.S. Government interagency doesn't have to do it. In many of these countries internationally, OFDA has offices there. They already exist there.

We have found that we can use the NGOs and PVOs, with a lubrication of funding, as a good part of our exit strategy. They will make the effort, and they'll do the work. They'll contract people. They'll bring the medications. They'll do all kinds of things, and their offices are already there. They have existing organizations. And they want to do it because their board of directors and all the people that they try to get money from to support them love to have that happen. So that's what they do. We leverage their core competencies; and in the long run, we may not even have

people in camouflage there, which is an easy exit strategy. That's the easiest exit strategy there is, if you're not there.

The backside of that is when we find that we can't fill that gap, we are working with our host nations and our friends and allies and other regional partners to see if they can bring assets to the game on consequence management. We talk to the host nation. They do have other bi-lats. If you were in the Middle East and in some of the other countries, whether they were formerly British or French colonies, they have old ties and many of those countries' interests are still there and they have ex-patriot communities. So they're willing to help, and they're willing to bring things to the game. We are still working with them. Why be duplicative and bring something if we don't have to. If it's in our own interest to do it and it's very clear that it is or nobody else can do it and the host nation asks, then we put that on our list. That way we can then start to try to most efficiently and effectively influence the consequences that are there and everybody is happy. We try to create a win/win across the board, and where possible, we minimize our own engagement so we don't have to stay there any longer than we have to.

Let me close by saying that I'm concerned about simultaneous international response and domestic preparedness program? My concern is very simple one. We don't have two sets of CM capability in this country. We have one set and it's designated to go international *and* domestic based upon what the President thinks he ought to do. There are not two sets of stuff. There's not the international stuff and the domestic stuff. There's the stuff. So I pay a lot of attention to the domestic preparedness program because that's my stuff, too. I have to know what is available to go ask for it. A number of things, if they can be used domestically, can also be used internationally. I just have to figure out who is going to fall in on the equipment if we need to go. Those are the kinds of things that are very important to us in the State Department in our response to terrorism and our consequence management programs.

Discussion

You have all mentioned a productive relationship between the Department of State and the regional Combatant Commanders regarding counter-terrorism efforts in the different regions. How are your efforts integrated with all of the other U.S. agencies that are represented at embassies overseas as part of the country teams?

Our interagency efforts are coordinated at both the NSC and at the country team level. At the NSC, there is an Exercise Subgroup (ESG), which is part of the Counter- Terrorism Security Group (CSG). They coordinate and deconflict the interagency engagements at the highest level. The players include State, Defense, Justice, FBI, FEMA and the intelligence community.

As we develop an engagement plan to assist a host nation country with counter terrorism or consequence management we include all of the representatives of the country team in the planning process. Some of the embassies only have a handful of Americans, while at larger missions we may have in-country representatives of the various departments and agencies meeting each other for the first time when we sit down and develop our program. And since the engagement program is for the host nation, we also bring in the local government representatives. Don't forget that the first responders that support the embassies themselves are local host nation police, fire, and hazardous material personnel, so the ambassador has a self-interest in ensuring that the country team develops a close relationship with these players.

What successes in our overseas counter-terrorism and consequence management program should be included in a domestic preparedness strategy?

First, we need to make sure that everyone understands that what appears to be a domestic WMD event, particularly a biological event, is likely to have both national and

international implications. Any homeland security strategy the government develops needs to be a national strategy, and that strategy must be comprehensive and consider the implications of a global economy and the hundreds of thousands of Americans living overseas. In other words, the means designated in the national strategy to counter terrorism and manage its consequences will have to be prioritized, and those resources must protect and support Americans whether at home or abroad.

Secondly, one great operational advantage we have overseas in consequence management is that we always have a clear chain of command. The ambassador is in charge of the entire U.S. government interagency effort. You can dream up any international scenario, and regardless of the emergency, the responders know who is in charge and who to go to for a decision. Domestically the arrangement is murky, and anything a national strategy can do to simplify our command and control doctrine for consequence management is welcome.

What are the disconnects or cultural gaps in our efforts to assist other countries in developing strategies for consequence management?

Some countries have a lot of trouble picturing a WMD attack or disaster happening on their territory and justifying the expense of preparing for such an event. So we start by asking how they would respond to various plausible natural disasters, and that discussion reveals the basic fire, police, HAZMAT, and medical capabilities of the country. Many of those same resources would be used in WMD consequence management, so now there is a baseline for CM response. By increasing the scope and complexity of WMD scenarios, the host nation's representatives start to see critical CM shortfalls. Our approach is incremental and bottom up, we know we will have difficulty if we walk in and say "This is what you need to be able to do, and this is what resources we think you need to put in place." Our successes have come from having the host nation identify its own risks and recognize shortfalls itself.

Chapter VII

DARK WINTER

**Colonel Randall Larsen, USAF (Retired)
ANSER Institute for Homeland Security**

On 22-23 June 2001, the Center for Strategic and International Studies, the Johns Hopkins Center for Civilian Biodefense Studies, the ANSER Institute for Homeland Security, and the Oklahoma National Memorial Institute for the Prevention of Terrorism, hosted a senior-level war game examining the national security, intergovernmental, and information challenges of a biological attack on the American homeland.

With tensions rising in the Taiwan Straits and a major crisis developing in Southwest Asia, a smallpox outbreak was confirmed by the CDC in Oklahoma City. During the thirteen days of the game, the disease spread to 25 states and 15 other countries. Fourteen participants and 60 observers witnessed terrorism/warfare in slow motion. Discussions, debates (some rather heated), and decisions focused on the public health response, lack of an adequate supply of smallpox vaccine, roles and missions of federal and state governments, civil liberties associated with quarantine and isolation, the role of DoD, and potential military responses to the anonymous attack. Additionally, a predictable 24/7 news cycle quickly developed that focused the nation and the world on the attack and response. Five representatives from the national press corps (including print and broadcast) participated in the game, including a lengthy simulated press conference with the President.

SCENARIO OVERVIEW:

DARK WINTER was an exercise designed to simulate possible U.S. reaction to the deliberate introduction of smallpox in three states during the winter of 2002.

KEY PLAYERS:

President	The Hon. Sam Nunn
National Security Advisor	The Hon. David Gergen
Director of Central Intelligence	The Hon. R. James Woolsey
Secretary of Defense	The Hon. John White
Chairman, Joint Chiefs of Staff	General John Tilelli (USA, Ret.)
Secretary of Health & Human Services	The Hon. Margaret Hamburg
Secretary of State	The Hon. Frank Wisner
Attorney General	The Hon. George Terwilliger
Director, Federal Emergency Management Agency	Mr. Jerome Hauer
Director, Federal Bureau of Investigation	The Hon. William Sessions
Governor of Oklahoma	The Hon. Frank Keating
Press Secretary, Gov. Frank Keating (OK)	Mr. Dan Mahoney
Correspondent, NBC News	Mr. Jim Miklaszewski
Pentagon Producer, CBS News	Ms. Mary Walsh

Reporter, British Broadcasting Corporation	Ms. Sian Edward
Reporter, The New York Times	Ms. Judith Miller
Reporter, Freelance	Mr. Lester Reingold

The players were introduced to this crisis during a National Security Council meeting scheduled to address several emerging crises, including the deployment of a carrier task force to the Middle East. At the start of the meeting, the Director of Health and Human Services informed the President of a confirmed case of smallpox in Oklahoma City. Additional smallpox cases were soon identified in Georgia and Pennsylvania. More cases appeared in Oklahoma. The source of the infection was unknown, and exposure was presumed to have taken place at least nine days earlier due to the lengthy incubation period of smallpox. Consequently, exposed individuals had likely traveled far from the loci of what was now presumed to be a biological attack. The exercise spanned 13 days, and served as a vehicle to illustrate the following points.

EXERCISE LEARNING POINTS:

1) An attack on the United States with biological weapons could threaten vital national security interests. Massive civilian casualties, breakdown in essential institutions, violation of democratic processes, civil disorder, loss of confidence in government and reduced U.S. strategic flexibility abroad are among the ways a biological attack might compromise U.S. security.

2) Current organizational structures and capabilities are not well suited for the management of a BW attack. Major “fault lines” exist between different levels of government (federal, state, and local), between government and the private sector, among different institutions and agencies, and within the public and private sector. These

“disconnects” could impede situational awareness and compromise the ability to limit loss of life, suffering, and economic damage.

3) There is no surge capability in the U.S. health care and public health systems, or the pharmaceutical and vaccine industries. This institutionally limited surge capacity could result in hospitals being overwhelmed and becoming inoperable; could impede public health agencies’ analysis of the scope, source and progress of the epidemic; and could hinder their ability to educate and reassure the public, and the capacity to limit casualties and the spread of disease.

4) Dealing with the media will be a major, immediate challenge for all levels of government. Information management and communication (e.g., dealing with the press effectively, communication with citizens, maintaining the information flows necessary for command and control at all institutional levels) will be a critical element in crisis/consequence management.

5) Should a contagious bioweapon pathogen be used, containing the spread of disease will present significant ethical, political, cultural, operational and legal challenges.

Smallpox, because of its high case-fatality rates and transmissibility, represents one of the most serious biological warfare threats to the civilian population. In 1980, the World Health Assembly announced that smallpox had been eradicated and recommended that all countries cease vaccination. Although labs in two countries still officially store smallpox samples (U.S. and Russia), its re-appearance would almost certainly indicate an intentional outbreak.

Aerosol release of smallpox virus disseminated among a relatively small population could result in a significant epidemic. Evidence suggests the infectious dose is very small. Several factors are cause for concern: the disease has historically been feared as one of the most serious of all

pestilential diseases; it is physically disfiguring; it bears a 30 percent case-fatality rate; there is no treatment; and it is communicable from person to person. Vaccination ceased in this country in 1972, and vaccination immunity acquired before that time has undoubtedly waned. Prior to eradication, data on smallpox outbreaks in Europe indicated that victims had the potential to infect 10 to 20 others. However, there has never been a smallpox outbreak in such a densely populated, highly mobile, unvaccinated population such as exists today.

In 1947, in response to a single case of smallpox in New York City, 6,350,000 people were immunized (500,000 in one day), including President Harry Truman. In 1972, after disappearing from Yugoslavia for four decades, a single case of smallpox emerged. There are two ways to control a smallpox epidemic—vaccine and isolation. Yugoslavia's Communist leader, Josip Tito, used both. He instituted a nation-wide quarantine, and immunized the entire country of 20 million people using vaccine supplied by the World Health Organization.

Estimates of the current U.S. supply of smallpox vaccine range from seven to twelve million doses. This stock cannot be immediately replenished, since all vaccine production facilities were dismantled after 1980, and renewed vaccine production is estimated to require at least 24-36 months. The Center for Disease Control and Prevention recently contracted with Acambis Inc. of Cambridge MA to produce 40 million doses of new vaccine. Initial deliveries will not begin before 2004.

Further information about DARK WINTER may be found on the internet at: <http://www.homelandsecurity.org/darkwinter/index.cfm>

Chapter VIII

Conclusion

Thirty-five participants contributed their observations on Consequence Management in a two-hour session to close the symposium. This is a brief summary of their remarks.

Although state authorities and local first responders identified opportunities to improve Consequence Management at their level, most of our conferees concluded that the greatest challenges to improvement are at the national, or strategic, level. To quote one attendee, “The issue of Homeland Security is ripe for national political leadership.” The three recent national commissions on terrorism and national security have recommended that the government consolidate certain border security operations within one department. To make this happen the nation’s leaders must evoke a strategy in terms that engage and educate a citizenry that was mostly uninformed about Homeland Security before the terrorist attacks of September 11, 2001.

Symposium attendees overwhelmingly agreed that a national strategy is required for Homeland Security, and that it must be an integral part of a new National Security Strategy (NSS). This strategy must be national, not simply federal, in scope—it must holistically address Homeland Security to include the roles of first responders, county and state emergency management agencies, the public health community, the National Guard, federal civilian agencies, and federal military forces. The strategy must likewise address the role of the United States Government in protecting its citizens overseas and in conducting or supporting Consequence Management abroad when appropriate. The strategy must be developed deliberately, and be based on a current and projected threat assessment.

It must have the flexibility to adapt to changes in the threat situation.

Promulgating a new National Security Strategy will set in motion many overdue actions and events. It should provide the impetus to reorganize the federal Executive Branch to efficiently conduct the Homeland Security mission and the Congress to provide better oversight. Presidential guidance, even in the absence of legislation, will provide a statement of federal intent and direction to state and local governments. Its strategic guidance will allow the Department of Defense to establish priorities, modify its Unified Command Plan, apportion and allocate forces to threat-based missions, and set in motion long term plans to reform its force structure to fill these new requirements.

A new strategy should also help lay to rest the nagging lack of commonality of terminology and doctrine evident in Homeland Security. Is it Homeland or Territorial, Defense or Security? Shall we use NBC, WMD, CBRNE, WME, CBRN, or CBW today? The new strategy should provide a source for common terminology.

Symposium attendees see an important role for the news media in educating the public about various aspects of Homeland Defense. A strategy that acknowledges threats and identifies its ends, ways and means will enable leaders to approach the news media and begin to educate the public on critical antiterrorism and public health issues. It can develop media campaign plans to use should an outbreak of contagious disease or other weapons of mass effect incident occur.

Leadership in this endeavor is necessary and too easily underestimated. It will take strategic leadership to not only develop a vision and a strategy but also to communicate that vision to the public and to mobilize diverse organizations toward a common goal. With a revised strategy and appropriate federal restructuring for Homeland Security, a new interagency and intergovernmental paradigm should

evolve. With redefined roles and missions, those responsible for Homeland Security at the federal level should be able to develop new long-term interagency training and exercise programs that further prepare the nation for responses to catastrophes of strategic magnitude.

Annex A: Symposium Participants

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Glossary of Acronyms

2-MTW	Two Major Theater Wars
ACE	Automated Commercial Environment
AOR	Area of Responsibility
ASD-CS	Assistant Secretary of Defense for Civil Support
ASD-SOLIC	Assistant Secretary of Defense for Special Operations and Low Intensity Conflict
AT	Antiterrorism
ATA	Antiterrorism Assistance
ATFP	Antiterrorism and Force Protection
C4I	Command, Control, Communications, Computers and Intelligence
CBIRF	Chemical or Biological Incident Response Force
CBRN	Chemical, Biological, Radiological and Nuclear
CBRNE	Chemical, Biological, Radiological, Nuclear and High Explosive Yield
CBW	Chemical and Biological Warfare
CDC	Centers for Disease Control
CDI	Cooperative Defense Initiative
CENTCOM	United States Central Command
CFO	Chief Financial Officer
CIAO	Critical Infrastructure Protection Office
CINC	Commander in Chief
CIP	Critical Infrastructure Protection
CJCS	Chairman of the Joint Chiefs of Staff

CJCSI	Chairman, Joint Chiefs of Staff Instruction
CM	Consequence Management
CMOC	Civil-Military Operations Center
CMST	Consequence Management Support Team
CONPLAN	Contingency Plan
CONUS	Continental United States
CrM	Crisis Management
CS	Combat Support
CSAT	Crisis Survey and Assessment Team
CSG	Counter-Terrorism Security Group
CSIS	Center for Strategic and International Studies
CSS	Combat Service Support
CT	Counter-Terrorism
DC	Deputies Committee
DCI	Director of Central Intelligence
DEPSECDEF	Deputy Secretary of Defense
DMAT	Disaster Medical Assistance Team
DOD	Department of Defense
DOE	Department of Energy
DOJ	Department of Justice
DOMS	Directorate for Military Support
DOS	Department of State
DOS-ATA	Department of State Antiterrorism Assistance
DOS-CT	Department of State Counter-Terrorism
DOT	Department of Treasury
EMAC	Emergency Management Assistant Compact

EMS	Emergency Medical Service
EMT	Emergency Medical Technician
EPA	Environmental Protection Agency
ERT	Emergency Response to Terrorism
ESF	Emergency Support Function
ESG	Exercise Subgroup
EST	Emergency Support Team
FBI	Federal Bureau of Investigation
FDA	Food and Drug Administration
FEMA	Federal Emergency Management Agency
FEST	Foreign Emergency Support Team
FRP	Federal Response Plan
FTO	Foreign Terrorist Organization
GAO	General Accounting Office
GCC	Gulf Cooperation Council
HAZMAT	Hazardous Material
HHS	Health and Human Services
INS	Immigration and Naturalization Service
IO	International Organization
IPP	Installation Pilot Program
JFCOM	Joint Forces Command
JOD	Joint Operations Directorate
JSOTF	Joint Special Operation Task Force
JTF	Joint Task Force
JTF-CM	Joint Task Force-Consequence Management
JTF-CS	Joint Task Force-Civil Support
LFA	Lead Federal Agency
LNO	Liaison Officer

MAST	Military Assistance to Safety and Traffic
MEF	Marine Expeditionary Force
MGEN	Major General
MMRS	Metropolitan Medical Response System
MSCA	Military Support to Civilian Authorities
NAVCENT	United States Naval Forces, Central Command
NBC	Nuclear-Biological-Chemical
NDMS	National Disaster Medical System
NDPO	National Domestic Preparedness Office
NGO	Nongovernmental Organization
NHSA	National Homeland Security Agency
NIPC	National Infrastructure Protection Program
NMRI	Navy Medical Research Institute
NOCT	National Office for Combating Terrorism
NSC	National Security Council
NSDD 207	National Security Decision Directive 207
NSS	National Security Strategy
OASD-CS	Office of the Assistant Secretary of Defense for Civil Support
OASD-SOLIC	Office of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict
OFDA	Office of Foreign Disaster Assistance
OMB	Office of Management and Budget
ONP	Office of National Preparedness
OSD	Office of the Secretary of Defense
OSHA	Occupational Safety and Health Administration

PACOM	United States Pacific Command
PAO	Public Affairs Officer
PDD	Presidential Decision Directive
PC	Principals Committee
PVO	Private Volunteer Organization
RAID	Rapid Assessment and Identification
R&D	Research and Development
RDTE	Research, Development, Test and Evaluation
RISC	Regional Incident Support and Coordination
RSC	Regional Support Command
SASC	Senate Armed Services Committee
SBCCOM	Soldier Biological and Chemical Command
SECDEF	Secretary of Defense
SES	Senior Executive Service
SOD	Special Operations Directorate
SOUTHCOM	United States Southern Command
TPFDD	Time Phased Force and Deployment Data
TPFDL	Time Phased Force and Deployment List
TS	Territorial Security
UCP 99	Unified Command Plan of 1999
USAMRIID	United States Army Medical Research Institute for Infectious Diseases
USCINCCENT	Commander in Chief, United States Central Command
USDA	United States Department of Agriculture
USMARCENT	United States Marine Forces, Central Command

USSOCCENT	Special Operations Component, United States Central Command
VA	Veterans Administration
VCJCS	Vice Chairman of the Joint Chiefs of Staff
WMD	Weapons of Mass Destruction
WMD-CM	Weapons of Mass Destruction-Consequence Management
WMD-CST	Weapons of Mass Destruction- Civil Support Team
WME	Weapons of Mass Effect